

# FEDERAL REGISTER

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## Regulations

### TITLE 6—AGRICULTURAL CREDIT

#### Chapter II—Commodity Credit Corporation

[Amendment No. 1; 1942 C.C.C. Rice Form 1; Instructions]

#### PART 233—1942 RICE LOANS

##### MISCELLANEOUS AMENDMENTS

Pursuant to the provisions of Title III, section 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1940 ed., 1302), and the Act of May 26, 1941 (55 Stat. 203; 7 U.S.C., 1940 ed., Supp. I, 1330) as amended by the Act of December 26, 1941 (55 Stat. 860), and as further amended by the Act of October 2, 1942, (Pub. Law 729, 77th Congress), Commodity Credit Corporation has authorized the making of loans on, and the purchase of eligible paper secured by rice stored on farms or in approved public rice warehouses, in accordance with the regulations in this part (1942—C.C.C. Rice Form 1—Instructions). Such regulations are hereby amended as follows:

Section 233.6<sup>1</sup> *Farm storage* is amended by deleting "June 30, 1943" in line 16 and inserting in lieu thereof "August 31, 1943".

Section 233.6 is further amended by deleting "February 1, 1943" for Southern States and "March, 1943" for California, appearing in the computation of the storage payment to be earned by the producer, in the event he has not made any misrepresentation in connection with the loan, and by inserting in lieu thereof, "March 1, 1943" for the Southern States, and "April 1, 1943" for California.

Section 233.40<sup>2</sup> *Pending printing and distribution of 1942 rice forms, 1941 rice forms, with the modifications enumerated, shall be used*, is amended by adding the following language under the heading "1941 C.C.C. Rice Form C":

(1) Strike "fifty", the last word on page 1 of the Contract, and insert "twenty-five".

(2) Strike "\$50,000" in line 1, page 2, of the Contract, and insert "\$25,000".

(3) Strike "April 30, 1942" in line 9 of paragraph 3 of the Contract, and insert "June 30, 1943"; strike "July 31, 1942" in lines 9 and 10 of the Contract, and insert "July 31, 1943".

Section 233.40 is further amended under the heading entitled "No. 1 (10-22-41)—Instructions to the Custodian", as follows:

Item 4: Strike out last two lines "... which has executed a 1942 C.C.C. Rice Form C, Supplement No. 1" and insert in lieu thereof the following: "... and provided further that the rice cooperative association has executed a 1942 C.C.C. Rice Form C, as supplemented".

Item 7: The date "July 21, 1942" appearing in the third line should read "July 31, 1942".

Dated: September 16, 1942.

[SEAL]

J. B. HUTSON,  
President.

[F. R. Doc. 42-12701; Filed, December 1, 1942; 11:21 a. m.]

### TITLE 7—AGRICULTURE

#### Chapter VII—Agricultural Adjustment Agency

[MQ-703—Peanuts]

#### PART 729—NATIONAL MARKET QUOTA FOR PEANUTS<sup>1</sup>

##### SUBPART C—1943

Whereas the Agricultural Adjustment Act of 1938, as amended, provides:

Sec. 358 (a). Between July 1 and December 1 of each calendar year the Secretary [of Agriculture] shall proclaim the amount of the national marketing quota for peanuts for the crop produced in the next succeeding calendar year in terms of the total quantity of peanuts which will make available for marketing a supply of peanuts from the crop with respect to which the quota is proclaimed equal to the average quantity of peanuts harvested for nuts during the five years immediately preceding the year in which such

<sup>1</sup> A "Computation of National Normal Yield of Peanuts for the United States for the 1943 Marketing Quota" was filed as part of the original document.

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<sup>1</sup> 7 F.R. 8009.

<sup>2</sup> 7 F.R. 8012.





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Telephone information: District 0525.

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quota is proclaimed, adjusted for current trends and prospective demand conditions, and the quota so proclaimed shall be in effect with respect to such crop. The national marketing quota for peanuts for any year shall be converted to a national acreage allotment by dividing such quota by the normal yield per acre of peanuts for the United States determined by the Secretary on the basis of the average yield per acre of peanuts in the five years preceding the year in which the quota is proclaimed, with such adjustments as may be found necessary to correct for trends in yields and for abnormal conditions of production affecting yields in such five years: *Provided*, That the national marketing quota established for the crop produced in the calendar year 1941 shall be a quantity of peanuts sufficient to provide a national acreage allotment of not less than one million six hundred and ten thousand acres, and that the national marketing quota established for any subsequent year shall be a quantity of peanuts sufficient to provide a national acreage allotment of not less than 95 per centum of that established for the crop produced in the calendar year 1941.

Whereas said Act contains the following definitions of terms here pertinent:

Sec. 301 (b) (6) (c). "Market", in the case of peanuts, means to dispose of peanuts, including farmers' stock peanuts, shelled peanuts, cleaned peanuts, or peanuts in processed form, by voluntary or involuntary sale, barter, or exchange, or by gift *inter vivos*.

Sec. 359 (d). The word "peanuts" \* \* \* means all peanuts produced on a farm, excluding any peanuts which it is established by the producer or otherwise, in accordance with regulations of the Secretary, were not picked or threshed either before or after marketing from the farm.

Now, therefore, be it known that the Secretary of Agriculture of the United States of America, acting under and pursuant to, and by virtue of, the authority vested in him by section 358 of the Agricultural Adjustment Act of 1938, as amended, proclaims that: (Authority: Sec. 358 (a), 55 Stat. 88; 7 U.S.C., 1940 ed., 1358 (a))

§ 729.201 *Proclamation and determination with respect to the national marketing quota, normal yield per acre, and national acreage allotment for peanuts for the crop produced in the calendar year 1943*—(a) *National marketing quota*. The amount of the national marketing quota for peanuts for the crop produced in the calendar year 1943 is 1,255,800,000 pounds.

(b) *Normal yield per acre*. The normal yield per acre of peanuts for the United States for the crop produced in the calendar year 1943 is 780 pounds.

(c) *National acreage allotment*. The national acreage allotment for peanuts for the crop produced in the calendar year 1943 is one million six hundred and ten thousand acres.

Done at Washington, D. C. this 30th day of November 1942. Witness my

hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,  
Acting Secretary of Agriculture.

[F. R. Doc. 42-12704; Filed, December 1, 1942; 11:21 a. m.]

#### Chapter IX—Agricultural Marketing Administration

##### PART 1101—FOOD STAMP PLAN

##### AMENDMENT TO FOOD STAMP PLAN REGULATIONS

The Food Stamp Plan Regulations dated April 17, 1942<sup>1</sup> are amended by adding § 1101.210, to read as follows:

§ 1101.210 *Price ceilings*. Prices charged for foods, including blue stamp foods, exchanged for food stamps shall not be higher than the maximum prices permitted under any maximum price regulation, or any amendments or supplements thereto, issued under the Emergency Price Control Act of 1942, as amended.

Effective date: November 30, 1942.

Done at Washington, D. C., this 30th day of November, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,  
Under Secretary of Agriculture.

[F. R. Doc. 42-12703; Filed, December 1, 1942; 11:21 a. m.]

#### TITLE 26—INTERNAL REVENUE

##### Chapter I—Bureau of Internal Revenue

[T.D. 5187]

##### Subchapter A—Income and Excess Profits Taxes

##### PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

##### VICTORY TAX ON INDIVIDUALS

Section 469 (c), Internal Revenue Code—Extension of time for furnishing statements to employees whose employment has terminated.

An extension of time, not exceeding thirty days, within which to furnish the statement required by section 469 (a) of the Internal Revenue Code, as added by section 172 of the Revenue Act of 1942, is granted any employer with respect to any employee whose employment is terminated during the calendar year. In the case of intermittent or interrupted employment where there is reasonable expectation on the part of both employer and employee of further employment, there is no requirement that a statement be immediately furnished the employee; but when such expectation ceases to exist, the statement must be furnished within thirty days from that time.

(This Treasury decision is issued under the authority contained in section 469 (c) of the Internal Revenue Code, added by section 172 of the Revenue Act of

<sup>1</sup> 7 F.R. 2921.



Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

*It is further ordered*, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

The price classifications and minimum prices set forth in the Schedules attached are based upon the price classifications and minimum prices in effect on October 1, 1942, for comparable and analogous coals and already reflect the changes, if any, made in minimum prices by the Acting Director's Order of August 28, 1942, 7 F.R. 6943, in General Docket No. 21.

Dated: November 10, 1942.

[SEAL] DAN H. WHEELER,  
Director.

*It is ordered*, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (Alphabetical list of code members) is amended by adding thereto Supplement R-I, § 322.9 (Special prices—(c) Railroad fuel) is amended by adding thereto Supplement R-II, and § 322.23 (General prices) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

*It is further ordered*, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations

in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations

in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

#### TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

#### FOR ALL SHIPMENTS EXCEPT TRUCK

#### § 322.7 Alphabetical list of code members—Supplement R-I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Sub- district No.	Shipping point	Railroad	Freight origin group No.	Size group Nos.															
								1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
2569	Bertone, Sam	Sam Bertone #1 (D)	Pittsburgh	9	Lock #3, Pa.	P&LE	73	D	F	D	C	C	C	C	C	C	(f)	(f)	A	A	C	E	E
2567	Byrne, E. A. & Sons (E. A. Byrne)	Null (D)	U. Freeport	9	Tarr, Pa.	PRR	31	F	D	D	C	C	C	C	C	C	(f)	(f)	A	A	C	E	E
2566	Koskey, W. Z. (Koskey Coal Co.)	Koskey #1 (D)	Pittsburgh	9	Elrama, Pa.	PRR	74	D	F	D	C	C	C	C	C	C	(f)	(f)	A	A	C	E	E
2567	Lasick, Joseph	Lasick (D)	T. Freeport	8	Culmer, Pa.	B&O	41	E	E	E	C	C	C	C	C	C	(f)	(f)	A	A	C	E	E
1020	Mt. Braddock Coal & Coke Co. (P. J. Duncan)	Mt. Braddock (D)	Pittsburgh	3	Mt. Braddock, Pa.	B&O	82	J	J	H	C	H	H	H	H	H	(f)	(f)	(f)	(f)	(f)	(f)	(f)
2571	Principini, M. (Mrs.)	Maple Mine #2 (S)	Sewickley	9	Poland, Pa.	Mongh	39	J	D	C	C	C	C	C	C	C	(f)	(f)	A	A	C	E	E
2568	Strawn, A. E. (Strawn Coal Co.)	Strawn #3 (D & S)	Pittsburgh	9	Sater, Pa.	B&O	83	D	D	D	C	C	C	C	C	C	(f)	(f)	A	A	C	E	E
2570	Warman, Fred C.	Walters (S)	Pittsburgh	3	Rich Hill Sdg., Out- crop, Pa.	B&O	80	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)

†Indicates no classification effective for this size group.

1942 (Public Law 753, 77th Congress), approved October 21, 1942)

[SEAL] GUY T. HELVERING,  
Commissioner of Internal Revenue.

Approved: November 30, 1942.

JOHN L. SULLIVAN,  
Acting Secretary of the Treasury.

[F. R. Doc. 42-12709; Filed, December 1, 1942;  
11:54 a. m.]

#### TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division  
[Docket No. A-1709]

#### PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

##### ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief



§ 322.9 *Special prices*—(c) *Railroad fuel*—Supplement R-II. In § 322.9 (c) in Minimum Price Schedule, add the mine index numbers in groups shown. Group No. 1: 2566, 2568, 2569; Group No. 6: 1020, 2057; Group No. 7: 2570; Group No. 8: 2571; Group No. 9: 2567.

## FOR TRUCK SHIPMENTS

§ 322.23 *General prices*—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	Base sizes										
				Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea 3/4" x 1 1/4"	Run of mine	2" N/S	1 1/4" slack	3/4" slack
				1	2	3	4	5	6	7	8	9	10	11
<b>ALLEGHENY COUNTY</b>														
Bertone, Sam.....	2569	Sam Bertone #1 (D)	Pittsburgh.....	315	305	295	270	245	245	240	240	215	205	200
Koskey, W. Z. (Koskey Coal Co.).....	2566	Koskey #1 (D)	Pittsburgh.....	330	320	310	280	270	255	245	265	230	220	195
Lasick, Joseph.....	2567	Lasick (D)	T. Freeport.....	305	295	285	260	240	240	240	240	210	200	190
<b>FAYETTE COUNTY</b>														
Hough, Leslie V.....	2565	Good Luck.....	Pittsburgh.....	300	290	280	265	245	230	230	230	220	215	190
Warman, Fred C.....	2570	Walters (S)	Pittsburgh.....	310	300	290	270	250	240	235	240	225	220	195
<b>GREENE COUNTY</b>														
Principini, M. (Mrs.).....	2571	Maple Mine #2 (S)	Sewickley.....	285	275	265	255	235	225	225	230	200	190	170
<b>WESTMORELAND COUNTY</b>														
Strawn, A. E. (Strawn Coal Co.).....	2568	Strawn #3 (D & S)	Pittsburgh.....	300	290	280	265	260	250	230	235	215	205	195

[F. R. Doc. 42-12650; Filed, November 30, 1942; 11:16 a. m.]

## TITLE 32—NATIONAL DEFENSE

## Chapter IX—War Production Board

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-132]

## DEAL ELECTRIC COMPANY, INC.

Deal Electric Company, Inc., New York, New York, is a manufacturer of electrical supplies and also deals in copper products. The Company maintains stocks of such products and is a warehouse as defined in General Preference Order M-9-a. This order, as amended February 6, 1942, prohibited a warehouse from delivering copper products except to fill purchase orders bearing a preference rating of A-10 or higher. On May 7, 1942, General Preference Order M-9-a was further amended to prohibit a warehouse from delivering copper products except to fill purchase orders bearing a preference rating of A-1-k or higher. Despite the fact that the Company was familiar with these restrictions, during the period from February 6 through May 6, 1942, it delivered 358,851 feet of copper wire in fulfillment of unrated orders and during the period of May 7 through August 11, 1942, it delivered 51,440 feet of copper wire in fulfillment of orders rated lower than A-1-k.

These deliveries constituted wilful violations of General Preference Order M-9-a which have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered, That:*

§ 1010.132 *Suspension Order S-132.*

(a) Deliveries of material to Deal Electric Company, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries to Deal Electric Company, Inc., its successors and assigns, by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) Despite the provisions of paragraph (a), Deal Electric Company, Inc. may extend or apply to deliveries to it any preference rating of AA-3 or higher which it would, except for the provisions of paragraph (a), be entitled to apply or extend.

(c) No allocation shall be made to Deal Electric Company, Inc., its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve Deal Electric Company, Inc. from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far

as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect December 2, 1942, and shall expire on April 2, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of November 1942

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-12666; Filed, November 30, 1942; 4:16 p. m.]

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-152]

## STAR PLUMBING SUPPLY CO.

The Star Plumbing Supply Company, Philadelphia, Pennsylvania, is a partnership composed of Harry Gitterman, Sidney Gitterman, and Louis Gitterman, in the business of acting as plumbing supply house for the trade and selling plumbing and heating equipment directly to the ultimate consumer and installing equipment so sold. On March 29, 1942, the Star Plumbing Supply Company entered a contract with August H. Hisler, Jr., Philadelphia, Pennsylvania, to furnish and install a hot water heating system, but deliveries were not made under this contract until the latter part of August and were made without a preference rating and without certification as required by Limitation Order L-79. On or after August 12, 1942, the Star Plumbing Supply Company sold and delivered to Mrs. Jessup Kay, Philadelphia, Pennsylvania, new metal plumbing equipment composed of more than 50% metal without a preference rating and without certification as required by Limitation Order L-79.

The delivery of new metal plumbing and heating equipment by the partnership without preference ratings and without certification constituted wilful violations of Limitation Order L-79. These violations have hampered and impeded the war effort of the United States. In view of the foregoing facts, *It is hereby ordered:*

§ 1010.152 *Suspension Order S-152.*

(a) Deliveries of material to Harry Gitterman, Sidney Gitterman, and Louis Gitterman, individually or doing business as the Star Plumbing Supply Company, their or its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations except as specifically authorized by the Director General for Operations.



(b) No allocation shall be made to Harry Gitterman, Sidney Gitterman, and Louis Gitterman, individually or doing business as the Star Plumbing Supply Company, their or its successors and assigns, of any material, the supply or distribution of which is covered by any order of the Director of Industry Operations or the Director General for Operations except as specifically authorized by the Director General for Operations.

(c) Harry Gitterman, Sidney Gitterman, and Louis Gitterman, individually or doing business as the Star Plumbing Supply Company, their or its successors and assigns are hereby prohibited from accepting deliveries of, receiving, delivering, selling, transferring, trading, or dealing in any new metal plumbing or heating equipment as defined in Limitation Order L-79, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve Harry Gitterman, Sidney Gitterman, and Louis Gitterman, individually or doing business as the Star Plumbing Supply Company from any restriction, prohibition, or provisions contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect December 2, 1942, and shall expire on March 2, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of November 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-12667; Filed, November 30, 1942; 4:16 p. m.]

#### PART 1223—STANDARDIZATION AND SIMPLIFICATION OF PAPER

[Schedule I to Limitation Order L-120, as Amended Nov. 30, 1942]

##### BOOK PAPER FOR USE IN COMMERCIAL PRINTING

§ 1223.2 *Schedule I to Limitation Order L-120—(a) Definitions.* For the purpose of this schedule, including the Appendix:

(1) The term "book paper" means and is limited to the kinds of paper commonly described and distributed in the paper trade by the names used as captions in the Appendix below.

(2) The term "book paper for use in commercial printing" means all "book papers" commonly manufactured and distributed for use in printing, including but not limited to the printing of music, labels and posters; and excluding only those manufactured and distributed for use in printing periodicals, pamphlets published for resale, and books, or for

conversion into another paper product or products otherwise than by printing.

(3) A "grade" means one particular quality within a kind of book paper, such grade having the essential properties peculiar to such kind of paper and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any such property is emphasized, due only to a difference in ash content, in sizing, in the quantity of adhesive in the coating formula, or in the dyes used in the paper and/or coating shall not be considered as resulting in a different grade.

(4) "Color" means any hue of the spectrum, including but not limited to ivory, india and green-white tints, and black, but not including white.

(5) The term "basis weight" means the weight of a kind of "book paper" in pounds per 500 sheets in the size indicated under the appropriate caption.

(6) An "item" means a quantity of paper all of which is of the same size, grain, basis weight, finish, color and grade.

(7) The term "standard" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, a grade and color selected and a basis weight and size specified under A of the appropriate caption in the Appendix below.

(8) The term "special" as applied to grade, color, basis weight, and size means, with respect to each manufacturer, any grade, color, basis weight or size that is not standard.

(9) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one printer or consumer.

(10) The term "manufacture" includes all making and finishing operations prior to packaging or packing.

(11) "Person" means any individual, partnership, association, or other form of enterprise, including within one "person" all affiliates, subsidiaries, individuals, corporations, partnerships, or other forms of enterprise subject to a common executive or operating management or with a common sales organization.

(b) *Identification of the papers subject to this schedule.* It shall be the duty of each person who manufactures paper to determine in the first instance, but subject to review and official classification by the Director General for Operations at any time thereafter, under which caption, if any, of the Appendix belongs each of the "book papers for use in commercial printing" manufactured by him. There shall be taken into account in such determination, and in any review and reclassification by the Director General for Operations, the designation by which the manufacturer heretofore identified or distributed the paper in question, the common designation in the paper trade of similar papers selling within the same general price range as the paper in question, and the common designation in the paper trade of papers possessing the same general physical characteristics, manu-

factured by the same general processes, or commonly distributed and used for the same general uses as the paper in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of "book paper for use in commercial printing", or whether a particular kind of paper is such a paper at all or belongs under any caption of the Appendix to this schedule, he may apply to the Director General for Operations, in writing, for an official classification of such paper, submitting with his application representative samples of the grade or grades in which he manufactures such paper, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of papers with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The Director General for Operations may on his own motion review a manufacturer's classification and substitute therefor an official classification. In any event, an official classification by the Director General for Operations by telegram or notice in writing sent to the manufacturer, shall, unless and until the Director General for Operations shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures any kind of "book paper for use in commercial printing", shall, with respect to each such kind he manufactures, select such "grade" or "grades" thereof, not to exceed the number specified in A (1) of the appropriate caption of the Appendix below, as he may desire to adopt for regular manufacture, and shall forthwith notify the Director General for Operations of such selection, on Form PD-589. The manufacturer may thereafter apply to the Director General for Operations for leave to amend the original selection by dropping a "grade" or "grades" and substituting another or others, but unless and until such leave is granted by the Director General for Operations in writing the original selection shall be and remain binding.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) under the appropriate caption of the Appendix below a manufacturer is permitted, with respect to a particular grade of a kind of "book paper for use in commercial printing", to select a number of colors, each person who manufactures such grade, if he desires to manufacture such grade in colors, shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the appropriate caption, as he may desire to adopt for regular manufacture, and shall forthwith notify the Director General for Operations of such selection on Form PD-589. The manufacturer may thereafter apply to the Director General for Operations for leave to amend the orig-



inal selection by dropping a color or colors and substituting another or others, but unless and until such leave is granted by the Director General for Operations in writing the original selection shall be and remain binding.

(e) *General limitations.* Except to the extent and upon the conditions indicated in paragraphs (f), (g), (h) and (i) of this revised schedule, or under B of the appropriate caption in the Appendix below, no person shall manufacture any kind of "book paper for use in commercial printing" in any grade, color, basis weight or size other than those selected or specified as standard under A of the appropriate caption of the Appendix, or contrary to any other provision under A of the appropriate caption.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of "book papers" and to the normal variations in quantity manufactured customarily acceptable in the paper trade. Nothing in this revised schedule shall restrict the remaking, because of faulty manufacture or excessive under-run, of all or any part of a "special making order" accepted in good faith for manufacture in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, provided the parent size is manufactured in accordance with the provisions of this revised schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this revised schedule on an order for roll paper; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions applying to a "special size" under B of the appropriate caption in the Appendix below.

(h) *Jobs and seconds.* Nothing in this revised schedule shall restrict the sale of "job lots" or "seconds", resulting from faulty manufacture or over-runs customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture "book paper" according to the terms of this revised schedule, provided that the manufacturer clearly informs the purchaser that such paper is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this revised schedule and of the provisions of Limitation Order L-120, a person may manufacture for export (but may not without permission in writing by the Director General for Operations sell in the domestic market) any kind of "book paper for use in commercial printing" in any size or basis weight required, regardless of quantity, provided all other provisions of this schedule are complied with.

(j) *Records and reports.*—(1) *Standard samples.* Each person who manufactures any kind of "book paper for use in commercial printing" shall keep, readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the appropriate caption.

(2) *Special making orders.* On and after November 2, 1942, each person who manufactures any "special making order" permitted under B of the appropriate caption of the Appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one printer or consumer, shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board, and shall submit reports of such orders to the Director General for Operations as he may from time to time require.

(3) *Export orders.* On and after November 2, 1942, each person who manufactures "book papers for use in commercial printing" for export shall require from the buyer a statement to the effect that such paper is purchased for export, shall keep such statement, together with a complete record of the order against which such paper is manufactured readily available for inspection by the War Production Board, and shall submit reports of such orders to the Director General for Operations as he may from time to time require.

(P.L. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of November 1942.

ERNEST KANZLER,

Director General for Operations.

#### APPENDIX 1 TO REVISED SCHEDULE I

#### STANDARDIZATION AND SIMPLIFICATION OF BOOK PAPERS FOR USE IN COMMERCIAL PRINTING

##### UNCOATED ENGLISH (MACHINE) FINISH BOOK PAPERS

(Excluding Those With 25 Percent or More Rag Content)

##### A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) *Standard Grades:* Not more than two, selected according to paragraph (c) of the foregoing schedule.

(2) *Standard Colors:* In one of the grades selected under A (1), White and India only. The other grade selected may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) *Standard Basis Weights* (per 500 sheets 25" x 38"): 30, 35, 40, 45, 50, 60.

<sup>1</sup> Item (4), Coated One Side Book Papers, was amended Nov. 30, 1942.

##### (4) Standard Sizes (in inches):

Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either white or any one color, standard or special; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or white; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

(5) *Basis Weights below 30 pound.* No restriction on grade, basis weights or sizes in basis weights below 30 pound.

##### UNCOATED BOOK PAPERS, SUPERCALENDERED

(Except those with 25% or more Rag Content)

##### A. Grades, Colors, Weights and Sizes for regular manufacture:

(1) *Standard Grades:* Not more than two, selected according to paragraph (c) of the foregoing schedule, provided they correspond to the two selected for Uncoated English (Machine) Finish Book Papers.

(2) *Standard Colors:* In one of the grades selected under A (1), White and India only. The other grade selected may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) *Standard Basis Weights* (per 500 sheets 25" x 38"): 45, 50, 60.

(4) *Standard Sizes* (in inches): Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:



- (a) The quantity of each special color is at least 20,000 pounds in one grade; and
- (b) The quantity of each basis weight is at least 10,000 pounds; and
- (c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

#### ANTIQUE (EGGSHELL) BOOK PAPERS

(Except those with 25% or more rag content)

*A. Grades, Colors, Weights and Sizes for regular manufacture.*

(1) Standard grades: Not more than two, selected according to paragraph (c) of the foregoing schedule, but only one may carry a watermark and/or a laid mark.

(2) Standard colors: In one of the grades selected under A (1), White and India only. The other grade selected may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard basis weights (per 500 sheets 25" x 38"): 50, 60, 70.

(4) Standard sizes (in inches):  
Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

*B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:*

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A special basis weight may be manufactured to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

#### UNCOATED OFFSET BOOK PAPERS

*A. Grades, colors, weights and sizes for regular manufacture.*

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: The grade selected under A (1) may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Basis Weights (per 500 sheets 25" x 38"): 50, 60, 70, 80, 100.

(4) Standard Sizes (in inches):  
Sheets: 22½ x 35, 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50, 41 x 54, 44 x 64.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

(5) Any fancy finish may be applied to any item conforming to the other conditions of this caption.

(6) No laid mark or other watermarks permitted.

(7) No supercalendered Offset Paper permitted.

*B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:*

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight, in the quantities provided for under exceptions (1), (2) and (3) above.

(5) Any fancy finish may be applied to any item conforming to the other conditions of this caption.

(6) A laid mark or other watermark may be incorporated in a special making order of 5,000 pounds or more of any item conforming to the other conditions of this caption.

(7) A Supercalender Finish may be applied to fill a special making order for 2,000 pounds or more of any item conforming to the other conditions of this caption.

#### PROCESS (MACHINE) COATED BOOK PAPERS

*A. Grades, Colors, Weights and Sizes for regular manufacture.*

(1) Standard Grades: Not more than two, selected according to paragraph (c) of the foregoing schedule.

*NOTE: A person may, upon application to and approval by the Director General for*

Operations, select for regular manufacture not more than 2 additional grades of Process (Machine) Coated Book Papers, each in lieu of a grade of Glossy Coated Two Sides Book Papers and, if his application is granted, may not thereafter, unless and until permitted by the Director General for Operations, regularly manufacture the grade or grades of Glossy Coated Two Sides Book Papers thus replaced.

(2) Standard Colors: White only.

(3) Standard Basis Weights (per 500 sheets 25" x 38"): 45, 50, 60, 70, 80.

(4) Standard Sizes (in inches):  
Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

*B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:*

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade, and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

#### COATED ONE SIDE BOOK PAPERS

*A. Grades, Colors, Weights and Sizes for regular manufacture.*

(1) Standard Grades: Not more than one grade of body stock to which may be applied two grades of coating, selected according to paragraph (c) of the foregoing schedule, one for general use and the other suitable for varnishing and gloss ink printing.

(2) Standard Colors: White only.

(3) Standard Basis Weights (per 500 sheets 25" x 38"): 50, 60, 70.

(4) Standard Sizes (in inches):  
Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 24, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

*B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:*

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color; and



(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

(5) Special Coating Formulae: Any glossy coated one side coating formula may be applied to the one grade of body stock permitted under A (1) to fill a special making order:

(a) In 5,000 pounds or more of one item in White only, and in any basis weight permitted under A (3); or

(b) In 10,000 pounds in White or any one color, standard or special, and in any one basis weight, standard or special, with at least 5,000 pounds of each item.

#### GLOSSY COATED TWO SIDES BOOK PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than three, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: In each of two of the grades selected under A (1), White and either India or Ivory but not both. The other grade selected may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Basis Weights (per 500 sheets 25" x 38"): 60, 70, 80, 100.

(4) Standard Sizes (in inches):  
Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured to fill a special making order in a

quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

(5) Special Coating Formulae: Any glossy coated two sides coating formula may be applied to a grade of body stock regularly manufactured under A (1) to fill a special making order:

(a) In 5,000 pounds or more of one item in White only, and in any basis weight permitted under A (3); or

(b) In 10,000 pounds in White or any one color, standard or special, and in any one basis weight, standard or special, and with at least 5,000 pounds of each item.

(6) Glossy Coated One Side: Any body stock and coating used for a standard grade of Glossy Coated Two Sides Book Papers may be used to manufacture a similar grade coated one side to fill a special making order, provided that:

(a) The quantity of each basis weight is at least 10,000 pounds; and

(b) The quantity of each item is at least 5,000 pounds.

#### COATED TWO SIDES OFFSET PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: White only.

(3) Standard Basis Weights (per 500 sheets 25" x 38"): 70, 80, and 100.

(4) Standard Sizes (in inches):  
Sheets: 22½ x 35, 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50, 41 x 54.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

#### DULL COATED BOOK PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: The grade selected under A (1) may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Basis Weights (per 500 sheets 25" x 38"): 70, 80 and 100.

(4) Standard Sizes (in inches):  
Sheets: 25 x 38, 28 x 42, 28 x 44, 32 x 44, 35 x 45, 38 x 50.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths.

B. Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

#### PLAIN COATED COVER PAPERS

A. Grades, Colors, Weights, and Sizes for regular manufacture:

(1) Standard Grades: Not more than one, selected according to paragraph (c) of the foregoing schedule.

(2) Standard Colors: The grade selected under A (1) may be manufactured in White, and India and five other colors, selected according to paragraph (d) of the foregoing schedule.

(3) Standard Basis Weights (per 500 sheets 20" x 26"): 60 and 80.

(4) Standard Sizes (in inches):  
Sheets: 20 x 26, 23 x 35, 26 x 40, 35 x 46.



Rolls: any dimension of a standard sheet size is a standard size for roll widths.

B. *Exceptions for "special making orders"* as defined in (a) (9) of the foregoing schedule:

(1) A Special Grade may be manufactured to fill a special making order, provided that:

(a) The quantity of such special grade is at least 20,000 pounds, all in either White or any one color, standard or special; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(2) A Special Color may be manufactured to fill a special making order, provided that:

(a) The quantity of each special color is at least 20,000 pounds in one grade; and

(b) The quantity of each basis weight is at least 10,000 pounds; and

(c) The quantity of each item is at least 5,000 pounds.

(3) A Special Basis Weight may be manufactured to fill a special making order in a quantity of at least 10,000 pounds, and in at least 5,000 pounds of each item:

(a) In a standard grade; or a special grade in the quantities provided for under Exception (1) above; and

(b) In a standard color or White; or a special color in the quantities provided for under Exception (2) above.

(4) A Special Size may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of an item:

(a) In a standard grade, standard color or standard basis weight; or

(b) In a special grade, special color or special basis weight in the quantities provided for under exceptions (1), (2) and (3) above.

[F. R. Doc. 42-12665; Filed, November 30, 1942; 4:16 p. m.]

#### PART 960—CHLORINE

[General Preference Order M-19 as Amended Dec. 1, 1942]

Part 960 is hereby amended to read Part 960—Chlorine.

Section 960.1 (General Preference Order M-19) is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of chlorine for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 960.1 *General Preference Order M-19—(a) Definitions.* For the purposes of this order:

(1) "Chlorine" means gaseous and liquid chlorine.

(2) "Producer" means any person engaged in the production of chlorine and includes any person who has chlorine produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased or purchases chlorine for resale.

(b) *Restrictions on use and delivery of chlorine.* (1) On and after January 1, 1943, subject to the provisions of paragraph (c) hereof, no producer or distributor shall use or deliver chlorine, and no person shall accept delivery thereof

from a producer or distributor, except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (f) hereof.

(2) During the period commencing December 1, 1942, and ending December 31, 1942, no person shall, subject to the provisions of paragraph (c) hereof, deliver, accept delivery of or use chlorine or "products containing available chlorine" as defined in General Preference Order No. M-19 as in effect prior to the date of this amendment, except in accordance with the provisions of such order.

(3) Each person affected by this order shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the use or delivery of chlorine.

(c) *Exemptions.* The restrictions provided for in paragraphs (b) (1) and (b) (2) hereof, shall not apply to the following:

(1) Use by any producer or distributor of not to exceed 2,000 pounds of chlorine during any one month.

(2) Delivery by any supplier of not to exceed 2,000 pounds of chlorine to any one person in any one month and the acceptance thereof by any such person: *Provided, however,* That each person seeking delivery of 2,000 pounds or less of chlorine during any one month shall file with his supplier at the time of placing his order a certificate in substantially the following form:

The undersigned hereby certifies that if delivery of the quantity of chlorine covered by the accompanying order is made, the undersigned will not have received, during the month in which such delivery is to be made, in excess of 2,000 pounds of chlorine; that such chlorine is to be used for the following purpose:

and that the amount of chlorine used for such purpose during the month of 1941 corresponding to the month in which such delivery is to be made was \_\_\_\_\_ pounds.

(Name of customer)

By \_\_\_\_\_  
(Signature of authorized official)

Date \_\_\_\_\_ Title \_\_\_\_\_

Such certificate shall constitute a representation to, but shall not be filed with, the War Production Board.

(3) Use by any person of chlorine for potable water treatment, industrial water treatment, swimming pool sanitation or sewage treatment.

(4) Delivery of chlorine by any supplier to any person for use, or for resale for use, for potable water treatment, industrial water treatment, swimming pool sanitation or sewage treatment, or to the acceptance of any such delivery by any such person: *Provided, however,* That no person shall accept delivery of any chlorine under this paragraph (c) (4) if the chlorine inventory of the deliverer is, or will by virtue of the acceptance of delivery of the chlorine ordered, become, in excess of a 30 days' supply on the basis of his current method and rate of operation, except to the extent that such excess may be occasioned by the fact that the amount ordered is the smallest practical delivery unit.

(d) *Placing of orders.* Each person ordering chlorine from any supplier, including persons ordering chlorine under paragraph (c) hereof, shall place his order for chlorine on or before the 5th day of the month preceding the month for which delivery is requested if such supplier is a distributor, or on or before the 10th day of such month if such supplier is a producer, and no supplier shall be required to fill any order for chlorine unless the person ordering the same shall have complied with the provisions of this paragraph (d).

(e) *Production of chlorine.* Each producer shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the production of chlorine.

(f) *Applications and reports.* In addition to such other reports as may from time to time be required by the Director General for Operations:

(1) Each producer and each distributor seeking authorization to use, and each person seeking authorization to accept delivery of, chlorine, pursuant to paragraph (b) (1) hereof, shall apply to the War Production Board for such authorization on Form PD-190 (Rev.), which form shall be prepared and filed in the manner prescribed therein.

(2) Each producer and each distributor seeking authorization to deliver chlorine pursuant to paragraph (b) (1) hereof, shall apply to the War Production Board for such authorization on Form PD-191 (Rev.), which form shall be prepared and filed in the manner prescribed therein.

(g) *Notification of customers.* Producers and distributors shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(h) *Miscellaneous provisions—(1) Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Priorities Regulations, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref.: M-19.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024,



7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of December 1942.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 42-12698; Filed, December 1, 1942;  
11:04 a. m.]

**PART 1041—PRODUCTION, TRANSPORTATION,  
REFINING AND MARKETING OF PETROLEUM**

[Preference Rating Order P-98-c]

§ 1041.3 *Preference Rating Order P-98-c.* For the purpose of facilitating special sales of idle or excess materials by persons engaged in the petroleum industry to other persons engaged in the petroleum industry, it is hereby ordered that persons engaged in the petroleum industry may sell such material to other persons engaged in the petroleum industry upon the terms hereinafter set forth:

(a) *Definitions.* The definitions of Preference Rating Order P-98-b shall apply in this order.

(b) *Sales of material between operators.* Any operator may sell to any other operator material from the seller's stocks or inventories, and any such sale shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13, as amended from time to time.

(c) *Applicability of orders and priorities regulations.* This order does not authorize receipt or use of any material by any person in violation of any inventory, quota or use restrictions imposed by any order or regulation. This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation issued by the War Production Board, as amended from time to time.

(d) *Communications.* All reports which may be required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed:

(1) By any person located in the United States, its territories or possessions to: Office of Petroleum Coordinator, South Interior Building, Washington, D. C., Ref.: P-98-c.

(2) By any person located in the Dominion of Canada to: Office of Oil Controller, Dominion of Canada, Toronto, Canada, Ref.: P-98-c.

(e) *Violations.* Any person who wilfully violates any provisions of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining

further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(f) *Effective date.* This order shall continue in effect up to but not after January 1, 1943, unless sooner revoked. (P.D. Reg. 1, as amended 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of December 1942.

ERNEST KANZLER,  
Director General for Operations.

[F. R. Doc. 42-12697; Filed, December 1, 1942;  
11:04 a. m.]

**Chapter XI—Office of Price  
Administration**

**PART 1303—ZINC**

[RPS 3, Amendment 3]

**ZINC SCRAP MATERIALS AND SECONDARY SLAB  
ZINC**

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.\*

A new paragraph (d) is added to § 1303.9, as set forth below:

§ 1303.9 *Appendix A: Maximum prices for zinc scrap materials.* \* \* \*

(d) St. Joseph Lead Company of Pennsylvania, 250 Park Avenue, New York, New York, may sell and deliver a certain lot of 123 tons of unsweated zinc dross in slabs from their plant at Joseph-town, Pennsylvania, to General Smelting Company, Westmoreland and Richmond Streets, Philadelphia, Pennsylvania, at an f. o. b. point of shipment price of 5.80 cents per pound, plus the actual transportation charges incurred by St. Joseph Lead Company of Pennsylvania in their original purchase of said zinc dross.

§ 1303.11 *Effective dates of amendments.* \* \* \*

(c) Amendment No. 3 (§ 1303.9 (d)) to Revised Price Schedule No. 3 shall become effective November 28, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12668; Filed, November 30, 1942;  
4:57 p. m.]

\*Copies may be obtained from the Office of Price Administration.

7 F.R. 1205, 2132, 3820, 5513, 8948.

**PART 1315—RUBBER AND PRODUCTS AND  
MATERIALS OF WHICH RUBBER IS A  
COMPONENT**

[MPR 200, Amendment 3]

**RUBBER HEELS, RUBBER HEELS ATTACHED, AND  
ATTACHING OF RUBBER HEELS**

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 1315.1402 and paragraph (a) in § 1315.1406 are amended, as set forth below:

§ 1315.1402 *Federal and state taxes.* (a) Except as limited in the next paragraph, any tax upon, or incident to, the sale, delivery, or processing of rubber heels, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor.

(b) No shoe repairman may add and after December 31, 1942, no wholesaler may add, the amount of Federal excise tax on rubber products paid by any prior vendor to the maximum prices established by this Maximum Price Regulation No. 200.

§ 1315.1406 *Marking and posting.*

(a) Every manufacturer of rubber heels (except sport heels and women's scoop lifts, toplifts, toplift strips and toplift blocks) manufactured after August 31, 1942, for sale in the shoe repair trade, shall imprint prominently on the face of every such heel in the place receiving the least wear the symbol "V-1," "V-2," "V-3," or "V-4," which symbol shall represent the physical tests, as set forth in paragraph (g) (6) of § 1315.1420, which the heel in question is able to equal or exceed. Sport heels and women's scoop lifts, toplifts, toplift strips and toplift blocks manufactured after August 31, 1942, for sale in the shoe repair trade must be marked in some other manner approved by the Office of Price Administration in order to indicate the quality thereof. The marking of the unit of sale container is an approved method of marking sport heels and women's scoop lifts (1 and 3 nail hole) and died out toplifts. A paper sticker on each toplift strip or block is also an approved

7 F.R. 6259, 6936, 7835, 8948.



method of marking toplift strips and toplift blocks.

§ 1315.1419a *Effective dates of amendments.*

(c) Amendment No. 3 (§§ 1315.1402, 1315.1406 (a) and 1315.1419a (c)) to Maximum Price Regulation No. 200 shall become effective December 5, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7891)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12682; Filed, November 30, 1942;  
5:00 p. m.]

PART 1316—COTTON TEXTILES

[RPS 11, Amendment 6]

FINE COTTON GREY GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Section 1316.3<sup>1</sup> is amended to read as follows:

§ 1316.3 *Memorandum contracts; wholesalers, jobbers and retailers.* (a) Deliveries against contracts entered into after December 1, 1942, and sales or contracts of sale made after such date, of fine cotton grey goods of the types enumerated below now subject to the maximum prices established in this Revised Price Schedule No. 11, the General Maximum Price Regulation and Maximum Price Regulation 157 may be made without specifying any price if the parties agree that the buyer's obligation will be discharged at prices not in excess of such maximum prices as shall prevail on the effective date of the revision of this Schedule under the designation Maximum Price Regulation No. 11:

- |                          |                            |
|--------------------------|----------------------------|
| (1) Broadcloth.          | (11) Organdie.             |
| (2) Lawns.               | (12) Tracing cloth.        |
| (3) Dimities.            | (13) Typewriter cloth.     |
| (4) Dimity checks.       | (14) Umbrella cloth.       |
| (5) Pique.               | (15) Collar cloth.         |
| (6) Pongee.              | (16) Poplins.              |
| (7) Voiles.              | (17) Beat-up marquisettes. |
| (8) Marquisettes.        | (18) Sateens.              |
| (9) Scrim.               | (19) *irplane cloth.       |
| (10) Fine combed plains. |                            |

(b) The maximum prices established herein and the provisions of paragraph (a) of this section and §§ 1316.5 and 1316.6 are not applicable to sales or deliveries of fine cotton goods made by any wholesaler, jobber, or retailer in the performance of a recognized distributive function: *Provided*, (1) That sales and deliveries of fine cotton goods (i) to a domestic converter or finisher or (ii) by the manufacturer thereof or by any agent of such manufacturer, shall not be made at prices higher than the established maximum prices; and (2) that records, as required by § 1316.5, shall be

kept of every sale or delivery by a wholesaler or jobber for export.

§ 1316.12a *Effective dates of amendments.*

(f) Amendment No. 6 (§ 1316.3) to Revised Price Schedule No. 11 shall become effective December 1, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12683; Filed, November 30, 1942;  
4:59 p. m.]

PART 1346—BUILDING MATERIALS

[MPR 276]

ASPHALT TILE

In the judgment of the Price Administrator it is necessary and proper, in order to effect a translation of the prices established under the General Maximum Price Regulation into dollars and cents and to accomplish the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, to establish as the maximum prices for asphalt tile the prices generally prevailing with respect thereto during the period March 1 to March 31, 1942.

The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and in conformity with the general level of prices established by the General Maximum Price Regulation. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, in accordance with Revised Procedural Regulation No. 1,<sup>1</sup> issued by the Office of Price Administration, Maximum Price Regulation No. 276 is hereby issued.

- Sec.
- |          |   |
|----------|---|
| 1346.301 | Maximum prices for asphalt tile.  |
| 1346.302 | Less than maximum prices.   |
| 1346.303 | Adjustable pricing.   |
| 1346.304 | Evasion.  |
| 1346.305 | Records and reports.  |
| 1346.306 | Enforcement.  |
| 1346.307 | Petitions for adjustment.   |
| 1346.308 | Petitions for amendment.  |
| 1346.309 | Definitions.  |
| 1346.310 | General Maximum Price Regulation and Maximum Price Regulation No. 188 superseded. |
| 1346.311 | Export sales.   |
| 1346.312 | Taxes.  |
| 1346.313 | Application.  |
| 1346.314 | Effective date.   |
| 1346.315 | Appendix A: Maximum prices for asphalt tile.                                      |

AUTHORITY: §§ 1346.301 to 1346.315, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1346.301 *Maximum prices for asphalt tile.* On and after December 5,

<sup>1</sup> 7 F.R. 8961.

1942, regardless of any contract or other obligation, no manufacturer shall sell or deliver any asphalt tile, except on an installed basis, and no person shall buy or receive any asphalt tile from any manufacturer in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1346.315, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of asphalt tile to a purchaser if prior to December 5, 1942, such asphalt tile had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

The provisions of this section shall not be applicable to any agency of the United States, or any contracting officer thereof, and any such contracting officer or any paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this Maximum Price Regulation No. 276 or by the Emergency Price Control Act of 1942, as amended.

§ 1346.302 *Less than maximum prices.* Lower prices than those determined under § 1346.301 hereof may be charged, demanded, paid, or offered.

§ 1346.303 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1346.304 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 276 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to asphalt tile, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by lowering quality of the tile, or otherwise.

§ 1346.305 *Records and reports.* (a) Every person making purchases or sales subject to this Maximum Price Regulation No. 276 of asphalt tile shall keep for inspection by the Office of Price Administration, for a period of not less than 2 years, a complete and accurate record of each purchase, sale, or delivery showing the date thereof, the name and address of the buyer and the seller, the point of origin and the point of delivery of the shipment, the price paid or received, and the quantity of each grade and classification of the product purchased, sold, or delivered.

(b) Every person making a purchase or sale subject to this Maximum Price Regulation No. 276 of asphalt tile shall submit such reports or samples of asphalt

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 1231.



tile to the Office of Price Administration as it may from time to time require.

§ 1346.306 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 276 are subject to the criminal penalties, and civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 276 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1346.307 *Applications for adjustment—Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a Government contract or a subcontract under any such contract, who believes that a maximum price established by this Maximum Price Regulation No. 276 impedes or threatens to impede production of a commodity or supply of a service which is essential to the war program and which is, or will be, the subject of such contract or subcontract may file an application for adjustment of that maximum price in accordance with the provisions of Procedural Regulation No. 6,<sup>2</sup> issued by the Office of Price Administration.

§ 1346.308 *Petitions for amendment.* Any person seeking an amendment of this Maximum Price Regulation No. 276 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1346.309 *Definitions.* (a) When used in this Maximum Price Regulation No. 276, the term:

(1) A sale on an "installed basis" means a transaction in which the seller furnishes asphalt tile together with the labor or services required to incorporate such asphalt tile into a building or other structure.

(2) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(3) "Carload" means a quantity or combination of one or more sizes, gauges, and colors of asphalt tile, and all sundries, including wax, cleaner, underlayment, and crack filler, or laying equipment, the aggregate weight of which totals 36,000 lbs. shipped at one time.

(4) "Asphalt tile" means a tile composed of a thoroughly blended composition of thermoplastic binder of the asphaltic and/or resinous type, asbestos and/or raw cotton fibers, and inert ma-

terials as fillers or pigments, formed under pressure while hot, and cut to size.

(5) "Manufacturer" means a person operating an establishment which produces, fabricates or finishes asphalt tile, and any agent or subsidiary or controlled affiliate of such manufacturer.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

§ 1346.310 *General Maximum Price Regulation<sup>3</sup> and Maximum Price Regulation No. 188<sup>4</sup> superseded.* The provisions of this Maximum Price Regulation No. 276 supersede the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 188 with respect to sales and deliveries for which maximum prices are established by this Regulation.

§ 1346.311 *Export sales.* The maximum price at which a person may export asphalt tile shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation,<sup>5</sup> issued by the Office of Price Administration.

§ 1346.312 *Taxes.* There may be added to the maximum price established

<sup>2</sup> 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616.

<sup>4</sup> 7 F.R. 5872, 7967, 8943, 8948.

<sup>5</sup> 7 F.R. 5059, 7242, 8829, 9000.

by this Maximum Price Regulation No. 276 the amount of tax levied by any Federal excise tax statute or any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, if, but only if, (a) such statute or ordinance requires the vendor to state the tax separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale, at the time of the transaction; or (b) such statute or ordinance requires such tax to be separately paid by the purchaser, consumer or user with tokens or other media of State or municipal tax payment; or (c) such a statute or ordinance permits the vendor to state such tax separately, and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this paragraph shall in no event exceed that paid by the purchaser, consumer, or user.

§ 1346.313 *Application.* The provisions of this regulation shall be applicable to the forty-eight States of the United States and the District of Columbia, but shall not be applicable to the territories and possessions of the United States.

§ 1346.314 *Effective date.* This Maximum Price Regulation No. 276 (§§ 1346.301 to 1346.315, inclusive), shall become effective December 5, 1942.

§ 1346.315 *Appendix A: Maximum prices for asphalt tile—(a) List prices.* The list prices of asphalt tile shall be as shown in the following tables:

TABLE NO. I—List prices for asphalt floor tile per square foot

	Under 2,500 sq. ft.				2,500 sq. ft.—Up to carload				Carload or over			
	3/8"	3/16"	1/4"	3/8"	3/8"	3/16"	1/4"	3/8"	3/8"	3/16"	1/4"	3/8"
<b>ASPHALT FLOOR TILE</b>												
Color Group A*	\$0.0600	\$0.0675	\$0.1200	-----	\$0.0550	\$0.0800	\$0.1100	-----	\$0.0450	\$0.0675	\$0.0950	-----
Color Group B	.0775	.1100	.1300	-----	.0700	.1000	.1400	-----	.0575	.0825	.1200	-----
Color Group C	.1175	.1650	.2350	-----	.1050	.1500	.2100	-----	.0875	.1225	.1750	-----
Color Group D	.1350	.1850	.2600	-----	.1225	.1675	.2450	-----	.1000	.1400	.2000	-----
<b>ASPHALT TILE—MISCELLANEOUS</b>												
Color Group A	.0550	.0800	.1075	\$0.1600	.0500	.0725	.0950	\$0.1450	.0400	.0600	.0800	\$0.1200
Color Group A-1	.0540	.0800	.1100	-----	.0500	.0720	.1000	-----	.0420	.0600	.0850	-----
Color Group A-2	.0540	.0800	.1070	.1600	.0500	.0720	.0900	.1450	.0400	.0600	.0800	.1200
Color Group B	.0675	.0950	.1350	.1950	.0600	.0850	.1200	.1750	.0500	.0725	.1000	.1450
Color Group B-1	.0700	.1000	.1400	-----	.0630	.0900	.1300	-----	.0520	.0740	.1100	-----
Color Group B-2	.0670	.0960	.1340	.1950	.0600	.0860	.1200	.1750	.0500	.0720	.1000	.1450
Color Group C	.0800	.1100	.1600	-----	.0750	.1050	.1500	-----	.0500	.0900	.1300	-----
<b>GREASEPROOF ASPHALT TILE</b>												
Color Group A	.1300	.1800	.2300	-----	.1200	.1700	.2200	-----	.1100	.1600	.2100	-----
Color Group A-1	.1300	.1800	.2600	-----	.1200	.1700	.2400	-----	.1100	.1600	.2200	-----
Color Group B	.1600	.2100	.2600	-----	.1500	.2000	.2500	-----	.1400	.1900	.2400	-----
Color Group B-1	.1600	.2100	.3200	-----	.1500	.2000	.3000	-----	.1400	.1900	.2800	-----
Color Group C	.1850	.2800	.3700	-----	.1800	.2700	.3600	-----	.1700	.2600	.3400	-----
<b>ACID RESISTANT ASPHALT TILE</b>												
Color Group A	.0700	.0975	.1300	-----	.0650	.0900	.1200	-----	.0550	.0775	.1050	-----
Color Group B	.0875	.1200	.1600	-----	.0800	.1100	.1500	-----	.0675	.0925	.1300	-----
<b>CONDUCTIVE ASPHALT TILE</b>												
Plain Black	.1600	.2200	.3000	.4150	.1450	.1925	.2850	.3600	.1200	.1600	.2200	.3000

\*The products included in each color group by manufacturer and style designation are shown in Table No. II, in subparagraph (b) hereof.

<sup>2</sup> 7 F.R. 5087, 5664.



(b) *Color groups.* The products included in each color group specified in Table No. I are shown by manufacturer's style designation in the following Table No. II:

TABLE No. II—Color groups

	David E. Kennedy, Inc.	The Duraflex Corp.	Leitch Mfg. Co.	Uvalde Rock As- phalt Co.	Johns- Manville	The Tile-Tex Co.	Thomas Moulding Floor Mfg. Co.	Arm- strong Cork Co.
ASPHALT FLOOR TILE								
Color group A.....	102	53	501	C-1	1	21	Black.....	A-200
	104	20	502	C-2	2	22	Seal.....	A-210
	106	23	503	C-3	3	23	Red.....	A-220
Color group B.....	103	24	504	C-13	7	24	Burgundy..	B-206
	108	36	505	C-14	102	26	.....	B-244
	129	41	506	C-15	104	27	45.....	B-250
	131	72	401	C-21	108	201	58.....	B-260
	203	151	402	C-22	112	202	62.....	B-305
	204	152	403	C-23	118	203	63.....	B-316
	209	153	404	C-24	119	204	601.....	B-323
	229	127	405	C-25	.....	206	602.....	B-332
	230	128	406	C-31	.....	207	603.....	B-335
	241	137	407	C-32	.....	211	630.....	B-336
	242	.....	408	C-33	.....	212	646.....	B-350
	245	.....	.....	C-34	.....	.....	40.....	B-351
	246	.....	.....	C-35	.....	.....	48.....	B-370
	252	.....	.....	.....	.....	.....	90.....	.....
	.....	.....	.....	.....	.....	.....	606.....	.....
	.....	.....	.....	.....	.....	.....	Leaf.....	.....
	.....	.....	.....	.....	.....	.....	Cocoon.....	.....
	.....	.....	.....	.....	.....	.....	Walnut.....	.....
Color group C.....	105	25	511	C-6	11	41	Taupe.....	C-203
	109	38	513	C-8	12	44	Cardinal.....	C-205
	110	44	521	C-9	14	46	Fern.....	C-241
	125	46	522	C-11	21	48	Gold.....	C-247
	127	76	523	C-93	23	49	Pewter.....	C-251
	130	78	531	C-94	24	50	.....	C-257
	136	122	420	C-42	103	51	21.....	C-261
	138	126	421	C-44	107	52	32.....	C-266
	206	133	422	C-45	111	55	49.....	C-310
	214	134	423	C-46	121	701	53.....	C-315
	221	144	424	C-48	123	702	64.....	C-320
	222	176	425	C-49	.....	705	65.....	C-321
	223	.....	.....	C-51	.....	707	72.....	C-322
	228	.....	.....	C-53	.....	708	75.....	C-324
	238	.....	.....	C-54	.....	710	609.....	C-325
	239	.....	.....	C-63	.....	711	625.....	C-330
	243	.....	.....	.....	.....	713	648.....	C-345
	244	.....	.....	.....	.....	714	.....	.....
	.....	.....	.....	.....	.....	715	.....	.....
	.....	.....	.....	.....	.....	716	.....	.....
	.....	.....	.....	.....	.....	729	.....	.....
	.....	.....	.....	.....	.....	731	.....	.....
	.....	.....	.....	.....	.....	734	.....	.....
	.....	.....	.....	.....	.....	741	.....	.....
	.....	.....	.....	.....	.....	745	.....	.....
Color Group D.....	122	62	524	C-7	124	746	.....	D-231
	128	91	534	C-10	125	101	Emerald.....	D-235
	132	145	430	C-90	126	102	Buff.....	D-248
	134	161	431	C-92	127	103	Antwerp.....	D-270
	225	191	432	C-47	.....	104	White.....	D-300
	232	.....	433	C-50	.....	106	16.....	D-340
	234	.....	.....	C-61	.....	107	50.....	D-342
	247	.....	.....	C-62	.....	108	51.....	D-356
	253	.....	.....	.....	.....	109	52.....	.....
	.....	.....	.....	.....	.....	110	54.....	.....
	.....	.....	.....	.....	.....	1,001	55.....	.....
	.....	.....	.....	.....	.....	1,004	73.....	.....
	.....	.....	.....	.....	.....	1,007	632.....	.....
	.....	.....	.....	.....	.....	1,009	658.....	.....
	.....	.....	.....	.....	.....	1,010	.....	.....
	.....	.....	.....	.....	.....	1,011	.....	.....
	.....	.....	.....	.....	.....	1,013	.....	.....
	.....	.....	.....	.....	.....	1,014	.....	.....
	.....	.....	.....	.....	.....	1,015	.....	.....
ASPHALT TILE—MISCELLANEOUS								
Color group A.....	410	853	.....	.....	.....	.....	.....	.....
	400	821	.....	.....	.....	.....	.....	.....
	443	844	.....	.....	.....	.....	.....	.....
Color group A-1.....	.....	.....	.....	.....	.....	H-1	51	.....
	.....	.....	.....	.....	.....	H-2	52	.....
	.....	.....	.....	.....	.....	H-3	53	.....
Color group A-2.....	.....	.....	.....	.....	.....	.....	.....	410
	.....	.....	.....	.....	.....	.....	.....	400
	.....	.....	.....	.....	.....	.....	.....	443
Color group B.....	705	951	.....	.....	.....	.....	.....	.....
	723	952	.....	.....	.....	.....	.....	.....
	733	922	.....	.....	.....	.....	.....	.....
	735	942	.....	.....	.....	.....	.....	.....



TABLE NO. II—Color groups—Continued

	David E. Kennedy, Inc.	The Dura-flex Corp.	Uvalde Rock Asphalt Co.	Johns-Manville	Armstrong Cork Co.
ASPHALT TILE—MISCELLANEOUS—continued					
Color group B-1.....			H-21 H-23 H-25 H-31 H-32 H-33	502 512 518 519	
Color group B-2.....					705 723 733 735
Color group C.....			H-16 H-17 H-18		
GREASEPROOF ASPHALT TILE					
Color group A.....	102 104 106 129 105 109 110 138	53G 25G 38G 44G 76G		Same as "Group A" asphalt floor tile.	G1-210 G1-205 G1-241 G1-251 G1-261
Color group A-1.....			GP-41 GP-42 GP-44 GP-45 GP-46 GP-49 GP-51		
Color group B.....	203 204 206 214 223 238 242 245	126G 133G 144G 176G		Same as "Groups B and C" asphalt floor tile.	G2-315 G2-324 G2-325 G2-345
Color group B-1.....			GP-702 GP-708 GP-710 GP-713 GP-729 GP-734 GP-735		
Color group C.....		45G 191G	GP-50 GP-52 GP-106 GP-109 GP-110 GP-716 GP-741 GP-1009 GP-1013 GP-1015	Same as "Group D" asphalt floor tile.	G3-247 G3-300 G3-342
ACID RESISTANT TILE					
Color group A.....	102 104 106			Same as "Group A" asphalt floor tile.	
Color group B.....	204 242			Same as "Group B" asphalt floor tile numbers:	
				26 48 62 63 602 603 630 646	

(c) *Maximum prices.* (1) The maximum prices at which the following standard sizes of asphalt tile, and all sizes not listed in this subparagraph (c), may be sold shall be the list prices set forth above: 9" x 9", 12" x 12", 6" x 12", 9" x 18", 18" x 24", and 12" x 24".

(2) One cent per square foot may be added to the list prices shown above in determining the maximum prices for the following: 6" x 6", 6" x 24", 12" Octagon, 6" x 12" Hexagon, 4" x 12", 18" x 18".

(3) Two cents per square foot may be added to the list prices shown above for the following sizes: 4 1/4" x 4 1/4", 4 1/2" x 9".

(4) Three cents per square foot may be added to the list prices shown above for the following sizes: 3" x 3", 3" x 6", 4" x 4", 4 1/2" x 4 1/2", 3" x 9", 3" x 12".

(5) Ten cents per square foot, or fraction thereof, may be added to the list prices shown above for strips of multiples of 1/2" from 1/2" to 5" wide by 18" long.



(6) One-half cent per triangular half tile may be added to the list prices shown above for the following sizes: 6" x 6", 9" x 9", 12" x 12".

(7) The maximum price for any asphalt tile manufactured on special order to duplicate any asphalt tile manufactured by a competitor, the maximum

price for which is specifically set forth in Table No. I, shall be an amount equal to the maximum price for such competitive item as set forth herein.

(d) *Freight charges.* Freight charges, in accordance with the following Table No. III, may be added to the maximum prices determined hereunder:

TABLE NO. III—Freight charges

	Armstrong Cork Co.	The Dura- flex Corp.	Johns- Man- ville	David E. Kennedy, Inc.	Leitch Mfg. Co.	Thomas Mould- ing Floor Mfg. Co.	The Tile- Tex Co.	Uvalde Rock Asphalt Co.
Asphalt floor tile:								
Color Group A.....	(1)	(1)	(1)	(1)	(2)	(2)	(2)	(1)
Color Group B.....	(1)	(1)	(1)	(1)	(2)	(2)	(2)	(1)
Color Group C.....	(1)	(1)	(1)	(1)	(2)	(3)	(3)	(1)
Color Group D.....	(1)	(1)	(1)	(1)	(2)	(3)	(3)	(1)
Asphalt tile—miscellaneous:								
Color Groups A, A-1, and A-2.....	(1)	(1)	(1)	(4)				(5)
Color Groups B, B-1, and B-2.....	(1)	(1)	(1)	(4)				(5)
Color Group C.....								(5)
Greaseproof asphalt tile:								
Color Group A.....	(1)	(1)		(1)		(2)		
Color Group A-1.....							(3)	
Color Group B.....	(1)	(1)		(1)		(2)		
Color Group B-1.....							(3)	
Color Group C.....		(1)		(1)			(3)	
Acid resistant asphalt tile:								
Color Group A.....				(1)		(2)		
Color Group B.....				(1)		(2)		
Conductive asphalt tile:								
Plain black.....	(5)							

<sup>1</sup> Freight charge from the nearest shipping point may be added.

<sup>2</sup> Freight charge from the nearest shipping point, plus freight to the nearest shipping point in excess of 1¢ per square foot, may be added.

<sup>3</sup> Freight charge from the nearest shipping point, plus freight to the nearest shipping point in excess of 2¢ per square foot, may be added.

<sup>4</sup> Freight charge from the nearest shipping point, plus freight to the nearest shipping point in excess of 3/4¢ per square foot for 1/2" tile, 1¢ per square foot for 3/8" tile, 1 1/2¢ per square foot for 3/4" tile, and 2¢ per square foot for 3/2" tile may be added.

<sup>5</sup> Full freight may be added.

Shipping points: New York, N. Y., Lincoln, N. J., Manville, N. J., Lancaster, Pa., Chicago, Ill., Waukegan, Ill., Houston, Texas, Southgate, California.

(e) All discounts (including cash discounts) or price differentials customarily allowed by manufacturers in March 1942 shall be preserved.

(f) All services rendered by manufacturers in March 1942 shall be continued without additional charge, unless a separate charge therefor was made during said month, in which case said charge may be continued: *Provided, however,* That no charge shall be made for duplicating competitors' colors on orders of 2500 square feet or over and that the maximum price for such service on orders of under 2500 square feet shall not exceed \$5.00 for each such order.

(g) No style number or designation listed herein shall be changed without approval from the Office of Price Administration in Washington, D. C.

(h) The quality of the asphalt tile as manufactured in March 1942 shall at all times be maintained or improved, and shall, except for Asphalt Tile—Miscellaneous as listed in Table No. 1, meet Federal Specification SST 306, as revised.

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12670; Filed, November 30, 1942;  
4:57 p. m.]

## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 237, Amendment 5]

ADJUSTED AND FIXED MARKUP REGULATION  
FOR SALES OF CERTAIN FOOD PRODUCTS AT  
WHOLESALE

A statement of the considerations involved in the issuance of Amendment No. 5 to Maximum Price Regulation No. 237 has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

The table in Appendix A, § 1351.518, is amended so that the dates opposite the food products, "fish, canned" and "vegetables, canned", under the column entitled "last date for determining new maximum prices under this regulation", shall read "December 31, 1942" instead of "November 30, 1942".

The table in Appendix A, § 1351.518, is amended so that the dates opposite the food products, "fish, canned" and "vegetables, canned", under the column entitled "last date for filing new maximum prices with appropriate OPA District or State Offices" shall read "January 10, 1943" instead of "December 10, 1942".

The table in Appendix B, § 1351.519, is amended so that the dates opposite the

\*Copies may be obtained from the Office of Price Administration.

food products, "fruit, dried" and "dry edible beans", under the column entitled "last date for determining new maximum prices under this regulation" shall read "December 31, 1942" instead of "November 30, 1942" as it now reads for "fruits, dried", and instead of "December 30, 1942" as it now reads for "dry edible beans".

The table in Appendix B, § 1351.519, is amended so that the dates opposite the food products, "fruits, dried" and "dry edible beans", under the column entitled "Last date for filing new maximum prices with the appropriate OPA District or State Offices" shall read "January 10, 1943" instead of "December 10, 1942" as it now reads for "fruits, dried" and instead of "December 30, 1942" as it now reads for "dry edible beans".

Section 1351.511 (b) is amended to read as set forth below:

## § 1351.511 Records. \* \* \*

(b) In addition to the records required in § 1499.11 of the General Maximum Price Regulation or any other applicable price regulation, every wholesaler shall keep a copy of all Forms No. 337:1 which are filed in accordance with § 1351.506 (b) hereof and all records showing how he calculated any maximum price under this regulation, which records shall be kept and made available for examination by the Office of Price Administration wherever the commodities are sold for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

## § 1351.517a Effective dates of amendments. \* \* \*

(e) Amendment No. 5 (§§ 1351.518 and 519, and 1351.511 (b)) to Maximum Price Regulation No. 237 shall become effective on November 30, 1942.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12673; Filed, November 30, 1942;  
4:55 p. m.]

## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 238, Amendment 3]

ADJUSTED AND FIXED MARKUP REGULATION  
FOR SALES OF CERTAIN FOOD PRODUCTS AT  
RETAIL

A statement of the considerations involved in the issuance of Amendment No. 4 to Maximum Price Regulation No. 238 has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

The table in Appendix A, § 1351.618, is amended so that the dates opposite the food products, "fish, canned" and "vegetables, canned", under the column entitled "last date for determining new maximum prices under this regulation",



shall read "January 31, 1943" instead of "December 31, 1942".

The table in Appendix A, § 1351.618, is amended so that the dates opposite the food products, "fish, canned" and "vegetables, canned", under the column entitled "last date for filing new maximum prices with appropriate local war price and rationing board" shall read "February 10, 1943" instead of "January 10, 1943".

The table in Appendix B, § 1351.619, is amended so that the dates opposite the food products, "fruit, dried" and "dry edible beans", under the column entitled "last date for filing new maximum prices under this regulation" shall read "January 31, 1943" instead of "December 31, 1942" as it now reads for "fruits, dried", and instead of "January 20, 1943" as it now reads for "dry edible beans".

The table in Appendix B, § 1351.619, is amended so that the dates opposite the food products, "fruits, dried" and "dry edible beans", under the column entitled "Last date for filing new maximum prices with the appropriate local war price and rationing board" shall read "February 10, 1943" instead of "January 10, 1943" as it now reads for "fruits, dried" and instead of "January 30, 1943" as it now reads for "dry edible beans".

Section 1351.611 (b) is amended to read as set forth below:

§ 1351.611 *Records.* \* \* \*

(b) In addition to the records required in § 1499.11 of the General Maximum Price Regulation or any other applicable price regulation, every retailer shall keep a copy of all Forms No. 338.1 which are filed in accordance with § 1351.606 (b) hereof and all records showing how he calculated any maximum price under this regulation, which records shall be kept and made available for examination by the Office of Price Administration wherever the commodities are sold for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

§ 1351.617a *Effective dates of amendments.* \* \* \*

(c) Amendment No. 3 (§§ 1351.618 and 619, and 1351.611 (b)) to Maximum Price Regulation No. 238 shall become effective on November 30, 1942.

(Pub. Laws 421, 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12672; Filed, November 30, 1942; 4:55 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 249, Amendment 2]

SALES OF CERTAIN SEASONAL FOOD PRODUCTS AT WHOLESALE

Mincemeat.	Fruit cake.
Plum pudding.	Holiday candy.
Fig pudding.	Chocolate covered cherries.
Date pudding.	Sweet apple cider.
Christmas cookies.	

Glazed or candied fruits and peels.	Pitted and macerated dates and date products.
Stuffed dried fruits.	Bottled egg nog.
Dried figs.	Bottled Tom and Jerry batter.
Pure sorghum syrup.	

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

The title to Maximum Price Regulation No. 249 is amended to read as set forth above.

Subparagraphs (11) and (12) of § 1351.762 (a)<sup>1</sup> and paragraphs (o) and (p) of § 1351.764 and paragraph (b) of § 1351.763a are all added to read as set forth below:

§ 1351.762 *Definitions.* (a) \* \* \*

(11) Bottled egg nog is a specialty holiday beverage made from fresh or powdered eggs, syrup, cream and milk. It may include liquor in which event the liquor consists of one or more of the following: rum, brandy or whiskey.

(12) Bottled Tom and Jerry batter is a mixture of fresh or powdered eggs, sugar or sugar syrup, and spices beaten together. During the holiday season it is mixed with liquor and hot water to prepare a beverage known as "Tom and Jerry."

§ 1351.764 *Appendix A. List of seasonal food products.* \* \* \*

(o) Bottled egg nog.  
(p) Bottled Tom and Jerry batter.

§ 1351.763a *Effective dates of amendments.* \* \* \*

(b) This Amendment No. 2 (§ 1351.762a (11) and (12); § 1351.764 (o) and (p) and § 1351.763a) shall become effective December 5, 1942.

(Pub. Laws 421, 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12684; Filed, November 30, 1942; 5:01 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 250, Amendment 2]

SALES OF CERTAIN SEASONAL FOOD PRODUCTS AT RETAIL

Mincemeat.	Glazed or candied fruits and peels.
Plum pudding.	Stuffed dried fruits.
Fig pudding.	Dried figs.
Date pudding.	Pure sorghum syrup.
Christmas cookies.	Pitted and macerated dates and date products.
Fruit cake.	Bottled egg nog.
Holiday candy.	Bottled Tom and Jerry batter.
Chocolate covered cherries.	
Sweet apple cider.	

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

\*Copies may be obtained from the Office of Price Administration.  
17 F.R. 8702.

The title to Maximum Price Regulation No. 250 is amended to read as set forth above.

Subparagraphs (10) and (11) of § 1351.863 (a);<sup>1</sup> paragraphs (o) and (p) of § 1351.865 and paragraph (b) of § 1351.864a are all added to read as set forth below:

§ 1351.863 *Definitions.* (a) \* \* \*

(10) Bottled egg nog is a specialty holiday beverage made from fresh or powdered eggs, syrup, cream and milk. It may include liquor in which event the liquor consists of one or more of the following: rum, brandy or whiskey.

(11) Bottled Tom and Jerry batter is a mixture of fresh or powdered eggs, sugar or sugar syrup and spices beaten together. During the holiday season it is mixed with liquor and hot water to prepare a beverage known as "Tom and Jerry."

§ 1351.865 *Appendix A. List of seasonal food products.* \* \* \*

(o) Bottled egg nog.  
(p) Bottled Tom and Jerry batter.

§ 1351.864a *Effective dates of amendments.* \* \* \*

(b) This Amendment No. 1 (§ 1351.863a (1) and (11); § 1351.865 (o) and (p); and § 1351.864a) shall become effective December 5, 1942.

(Pub. Laws 421, 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12685; Filed, November 30, 1942; 5:01 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 57, Amendment 2]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Subparagraphs (30) and (31) of § 1388.581 (a) of Maximum Rent Regulation No. 57 are revoked.

§ 1388.594a *Effective dates of amendments.* \* \* \*

(b) Amendment No. 2 (§ 1388.581 (a)) to Maximum Rent Regulation No. 57 shall become effective December 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12675; Filed, November 30, 1942; 4:55 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 58A, Amendment 2]

HOTELS AND ROOMING HOUSES

Subparagraphs (30) and (31) of § 1388.631 (a) of Maximum Rent Regulation No. 58A are revoked.

17 F.R. 8705.



§ 1388.644a *Effective dates of amendments.* \* \* \*

(b) Amendment No. 2 (§ 1388.631 (a)) to Maximum Rent Regulation No. 58A shall become effective December 1, 1942. (Pub. Law 421, 77th Cong.)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12674; Filed, November 30, 1942;  
4:55 p. m.]

#### PART 1389—APPAREL

[MPR 208,<sup>1</sup> Amendment 2]

##### STAPLE WORK CLOTHING

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.\*

Amended: §§ 1389.203, 1389.210 (b), 1389.217 (b) and 1389.218 (a) (4) (vii).

Added: § 1389.206 (b) (3).

§ 1389.203 *Maximum prices of sellers other than at retail.* Except as otherwise provided in this Maximum Price Regulation 208, the maximum price of a seller other than at retail for staple work clothing shall be the base price, determined under paragraph (a), (b) or (c), less the deduction indicated in paragraph (e), or the maximum price determined under paragraph (f).

(a) *List prices.* The base price for sale of a garment to a purchaser of any class shall be the price for such a sale shown on the last issued written price list:

(1) Which was generally circulated among the seller's customers or representatives, during or before March 1942; and

(2) Pursuant to which the seller offered and delivered one or more garments of the same classification to a purchaser of the same class during or before March 1942.

(b) *Discount prices.* The base price for sale of any garment to a purchaser of a class to whom it was not offered on the last issued written price list, as limited by paragraph (a), shall be a base price for the same garment determined under that paragraph, less the seller's "average discount" (defined in paragraph (d) (1)) to this purchaser.

(c) *Formula prices.* The base price for sale of a garment which is the same as one manufactured during the twelve months preceding April 1, 1942, where the base price cannot be determined under paragraph (a) or (b), shall be a price determined under this paragraph (c).

(1) *Pricing formula.* To establish a maximum price for a garment to a purchaser of any class, the seller shall:

(i) Determine the unit direct cost of the garment being priced.

(ii) Select from garments of the same classification for which the base price to a purchaser of the same class can be determined under paragraph (a) or (b), the one which has a unit direct cost immediately higher and the one which has a unit direct cost immediately lower than the unit direct cost of the article being priced. If all such garments are either above or below, the one closest in unit direct cost shall be selected, and if any such garment has the same unit direct cost as the article being priced, it shall be selected in addition to the garments immediately above and below.

(iii) Determine the average percentage mark-up over unit direct cost included in the maximum prices of the garments selected.

(iv) Add to the unit direct cost of the article being priced this average percentage mark-up.

#### EXAMPLE

[Unit direct cost of garment being priced: \$9.00]

(1) Unit direct costs of other garments of same classification	(2) Maximum prices of such garments	(3) Calculation of mark-up
\$10.00	\$11.50	Total maximum prices (from (2))
7.00	8.20	Total unit costs (from (1))
17.00	19.70	Total mark-up.....
		2.70

Divide 2.70 (total mark-up) by 17.00 (total cost), and find average percentage mark-up of..... 15.9 %

Multiply \$9.00 (unit direct cost of garment being priced) by 15.9 and find dollar mark-up of \$1.43. Add \$9.00 and find maximum price..... \$10.43

(2) *Computation of unit direct costs by a manufacturer.* To establish the unit direct cost, a manufacturer shall add costs per unit of materials and direct labor, determined as follows:

(i) Material costs shall be calculated at the maximum net prices which the manufacturer could lawfully be charged for such materials if purchased on his customary terms from the source of supply most used by him in purchasing materials of the same type during the six months ending March 31, 1942, under the terms of price schedules and maximum price regulations in effect at the time when the calculation is made.

(ii) Wage rates shall be calculated at the rates paid by the seller on March 31, 1942, plus any increase subsequent thereto made pursuant to a collective bargaining contract or other wage agreement which was entered into on or before April 27, 1942, and which provides for an unconditional increase in wage rates of a fixed amount or percent.

(iii) Amounts of labor and material used shall be calculated on the basis of

the manufacturer's most recent cost records of the manufacture of each garment during the year preceding April 1, 1942, and labor costs shall be confined to labor used in cutting, sewing, assembling and inspecting the garment.

(3) *Computation of unit direct costs by a wholesaler.* A seller at wholesale shall take as the unit direct cost of any garment the maximum net price for sale by the manufacturer to him, on the terms customarily obtained by him, or if none, by purchasers of the same class.

(d) *Meaning of terms for the purposes of this section.* (1) The seller's "average discount" to any purchaser shall be the average of percentage discounts allowed to this purchaser on all orders accepted during 1941, on the same material and labor cost basis, for the garment being priced; or if data are not available for that garment, for the most closely comparable garment of the same classification for which data are available. If the discount cannot be determined on orders from the same purchaser, it shall be determined on orders from all purchasers of the same class.

(2) "Purchasers of the same class" refers to the practice adopted by the seller in setting different prices for staple work clothing for sales to different purchasers or kinds of purchasers, (for example, wholesaler, jobber, retailer, government agency, public institution, or individual consumer) or for purchasers located in different areas or for different quantities or grades, or under different conditions of sale.

(3) A garment shall be considered the "same" as another when:

(i) The garment belongs to the same classification (as defined in § 1389.217);

(ii) The garment contains body material which is the same with respect to (a) construction, (b) weight and thread count within the tolerance of the Worth Street Rules, (c) finish, including shrinkage treatment, and (d) color fastness;

(iii) The garment consumes substantially the same average yards per dozen and has substantially the same body dimensions;

(iv) The garment contains trimmings of fairly equivalent serviceability;

(v) The garment is constructed and assembled with the same standards of workmanship and inspection. Differences in color which are not ordinarily the basis of differences in price shall be disregarded.

(4) A simplified model (defined in § 1389.218) of any garment shall be considered the "same" as such garment before simplification, except when such simplified garment becomes the same, under paragraph (d) (3) of this section, as a lower priced garment in which the seller dealt during or before March 1942.

(5) A "unit" shall be a dozen articles, or any other number customarily used as a basis for calculating costs and prices.

(e) *Deductions.* The deduction to be made from the base price of any garment, as determined under paragraphs

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 6649, 8940, 8948.



(a), (b) or (c) of this section, in order to determine the maximum price, shall be the product which results from multiplying the number of yards of cloth used in the garment for which such base price was determined, before simplification (if any), by the number of cents indicated in the following Table I, according to the body material of which such garment was made. This deduction shall be subject to the following exceptions:

(1) The deduction to be made in determining the maximum price for a boy's garment shall be one-half the amount indicated by the table.

(2) A seller at wholesale shall omit any part of the deduction which reduces his maximum price to a sum lower than 110% of his unit direct cost.

TABLE I

Type of cloth	Weight of cloth	Cents per yard
Denims, mill finish	3.50-2.20	1.0
Denims, sanforized	2.00-1.60	1.5
	3.15-2.00	1.0
	1.75 and heavier	1.5
	All weights	0.5
Carded coarse and fine yarn shirting chambrays, mill finish and sanforized	All weights	0.5
Carded coarse and fine yarn shirting coverts, mill finish and sanforized	All weights	0.5
Cotton pants coverts, sanforized	1.65	1.5
Same	2.00-2.40	1.0
Finished jeans, 36" basis	2.85	0.5
Finished drills, 29"-28" basis	2.50	1.0
Cottonades, sanforized and regular finish, 36" basis	1.45-2.00	1.5
Whipcoats, sanforized and regular finish, 36" basis	1.45-2.00	1.5
Moleskins, plain 30" basis	7½-8½ oz	1.0
Same, 30" basis	8½-9½ oz	1.5
Same, 36" basis	9½-10 oz	2.0
Moleskins, black and white, 30" basis	7½-8½ oz	1.0
Same	8½-9½ oz	1.5
Carded poplins, 36" basis	2.50	1.0
Same	2.85-3.25	0.5
Army twills, types 1 to 5, 36" basis	8.2 oz	1.5
Ducks, sanforized or mill finish	All weights	0.5
Pinchecks and pin stripes	All weights	0.5

(f) *Replacements and curtailments in body materials*—(1) *When this paragraph applies.* The maximum price for a garment shall be determined under this paragraph if the garment cannot be priced under paragraph (a), (b) or (c), and is the same as one priced under paragraph (a) or (b), except for one or both of the following characteristics:

(i) One weight, finish or construction of body material is replaced by another, or

(ii) The yardage of body material consumed is curtailed in order to comply with General Limitation Order L-181 as amended (§ 3204.1),<sup>2</sup> and remains within 2 percent of the maximum yardage permitted by that order.

(2) *Calculating the maximum price.* The maximum price shall be found by taking the maximum price of that garment priced under paragraph (a) or (b) which is nearest in cost, and is the "same" except for the replacement or curtailment, and subtracting (or adding, if the material cost of that garment is lower) a sum calculated as follows:

(i) Find the difference between the costs of body materials in the two garments; and

(ii) Multiply this difference by 105 percent in finding a price for sale to wholesalers and to purchasers of classes who are customarily charged the same or a lower price; and by 110 percent in calculating a price for sale to purchasers of classes who are customarily charged more than the price to wholesalers. For all prices charged by wholesalers, the difference shall be multiplied by 110 percent.

(3) *Cost of body materials.* For the purposes of paragraph (f), the cost of any body material means the price which the seller would be charged (not exceeding the applicable maximum price), at the time the calculation is made, for a purchase on his customary terms from the source of supply most used by him for materials of the same type during the six months ending March 31, 1942. Every seller shall promptly upon request inform any purchaser of the difference between the specifications of body materials in the garments compared, and the difference in their costs.

#### § 1389.206 Evasion.

(b) \* \* \*

(3) No seller shall reduce the size range in which a garment is offered from the size range in which it was offered during March 1942.

#### § 1389.210 Informational requirements.

(b) *Statements to be filed*—(1) *Initial statements.* On or before December 5, 1942, every person who sells staple work clothing otherwise than at retail shall prepare and file the following documents with the Office of Price Administration, Washington, D. C.

(i) The latest price list, generally circulated among the sellers, customers and representatives, pursuant to which the seller delivered, during or before March 1942, any garment of each classification to each class of purchasers, with a statement showing the date when each list was issued, to whom it was circulated, and the name and address of a purchaser of each class to whom a garment of each classification was delivered.

(ii) A statement showing the maximum price under this regulation for each garment sold, delivered or offered from August 26, 1942 to September 30, inclusive, for each class of purchasers to whom the garment was sold, delivered or offered during that period, and disclosing the manner in which the maximum price was determined.

(iii) A description of each garment referred to in subdivision (i) and (ii), and such additional details as may be required in report forms prescribed by the Office of Price Administration.

(2) *Supplemental statements.* Every person who makes sales, deliveries or offerings of staple work clothing otherwise than at retail after September 30, 1942, for which the maximum prices and descriptions are not shown on the statements filed under subparagraph (1), shall file supplemental statements. These statements shall be filed on the tenth day of December 1942, and of each succeeding month, covering garments

sold, delivered or offered prior to the month in which the statement is filed, and not covered by any previous report. They shall contain information corresponding to that required by subparagraphs (1) (ii) and (1) (iii) for initial statements.

#### § 1389.217 Appendix A: Definition of staple work clothing.

(b) *Constructions of body materials.*

- (1) Denims, including striped denims.
- (2) Carded yarn shirting chambrays.
- (3) Carded yarn shirting coverts.
- (4) Carded yarn pants coverts.
- (5) Jeans, finished and unfinished.
- (6) Drills, finished and unfinished.
- (7) Cottonades.
- (8) Whipcoats.
- (9) Moleskins.
- (10) Carded yarn poplins.
- (11) Twills, finished and unfinished.
- (12) Ducks, excepting water-repellent ducks.
- (13) Pin checks and pin stripes.

#### § 1389.218 Appendix B: Simplification—(a) Simplification.

(4) Work pants.

(vii) Elimination of cuffs on trousers made of material of the weight of 2.50 yards per pound on 30" grey weight basis, or heavier.

#### § 1389.216a Effective dates of amendments.

(b) Amendment 2 (§§ 1389.203, 1389.206 (b) (3), 1389.210 (b), 1389.217 (b) and 1389.218 (a) (4)) shall become effective December 5, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12686; Filed, November 30, 1942; 4:59 p. m.]

#### PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C, Amendment 3]

#### MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Paragraphs (a), (b) and (c) of § 1394.7808 are amended, paragraph (e) of § 1394.7808 is revoked, and a new paragraph (c) to § 1394.8352 is added, as set forth below:

#### Transport Rations

§ 1394.7808 *Temporary transport rations.* (a) Any person requiring gasoline for the operation of a commercial motor vehicle who has made application for a Certificate of War Necessity but who has received no certificate and no notice that his application has been denied, or any person who has received

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 9135, 9787.

<sup>2</sup> 7 F.R. 6208, 6996.



a certificate which discloses on its face that clear error has been made in stating the gallonage allowed, may apply between November 23, 1942, and December 31, 1942, inclusive, for a temporary transport ration pursuant to the provisions of paragraph (b) of this section, and no Certificate of War Necessity shall be required to be presented in connection therewith.

(b) An application for a Temporary Transport ration may be made, in duplicate, to any Board during the period from November 23, 1942, to December 31, 1942, inclusive. Such application shall be made on Form OPA R-536, and may be made by an agent. The applicant shall state the mileage and gallonage required for the operation of such motor vehicle from the date the ration is required to December 31, 1942, inclusive, and set forth the following:

(1) If no certificate and no notice of denial has been received, the applicant shall specify the address of the District Office of the Office of Defense Transportation with which the application for a Certificate of War Necessity has been filed, the date on which such application was filed, and the address of the Board with which his application pursuant to § 1394.7804 is to be filed. The applicant shall also state that no ration pursuant to § 1394.7805 has been issued, and that he has received no notice that his application for a Certificate of War Necessity has been denied.

(2) If the certificate discloses error in stating the gallonage allowed, the applicant shall state that he has applied or will apply to the District Office of the Office of Defense Transportation for correction of the error.

(c) If the Board believes that the applicant has received no certificate and no notice of denial of a certificate, or if it is evident to the Board that the statement of gallonage allowed in the certificate is a result of clerical error the Board shall determine the number of gallons of gasoline required for the operation of such motor vehicle through December 31, 1942. The Board shall then issue "T-1" or "T-2" books containing coupons in sufficient number to provide the gallonage needed to December 31, 1942, inclusive. Such books shall expire at 12:01 A. M. on April 1, 1942.

#### Effective Dates

§ 1394.8352 *Effective dates of amendments.* \* \* \*

(c) Amendment No. 3 (§ 1394.7808) to Ration Order No. 5C shall become effective November 30, 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12671; Filed, November 30, 1942; 4:57 p. m.]

#### PART 1405—FERRO-ALLOYS

[MPR 248,<sup>1</sup> Amendment 1]

##### MANGANESE ORES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

In § 1405.63 the figure "35%" set forth in paragraph (a) (3) is amended to read "40%"; paragraph (a) of § 1405.65 is amended by deleting the following which appears under *Penalties*: "Below 40%: 10¢, plus 2¢ for each 1% down to and including 35%"; and a new § 1405.64a is added:

§ 1405.64a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1405.63 (a) (3) and 1405.65 (a)) to Maximum Price Regulation No. 248 shall become effective December 1, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12687; Filed, November 30, 1942; 5:01 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,<sup>2</sup> Amendment 27]

##### SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

A new paragraph, (c), is added to § 1407.68 as set forth below:

##### Consumers

§ 1407.68 *Late registration.* \* \* \*

(c) No consumer may be registered after December 15, 1942: *Provided*, That a consumer who is born after November 15, 1942, or, on such date, is out of the country, confined in an institution, or subsisted in kind or in organized messes by the Army or Navy, may be registered, if he has not been previously registered, within a month after he is born, enters the country, is discharged from the institution, or is no longer subsisted in kind or in organized messes by the Army or Navy.

##### Effective Date

§ 1407.222 *Effective dates of amendments.* \* \* \*

(ff) Amendment No. 27 (paragraph (c) of § 1407.68) shall become effective November 30, 1942.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965)

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 8694.

<sup>2</sup> 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8739, 8809, 8710, 8830, 8831, 9042, 9396, 9460.

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12688; Filed, November 30, 1942; 5:01 p. m.]

#### PART 1413—SOFTWOOD LUMBER PRODUCTS

[Rev. MPR 13<sup>1</sup>]

##### DOUGLAS FIR PLYWOOD

The title, the preamble, and §§ 1413.1 to 1413.16, inclusive, are renumbered and amended to read as set forth below:

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

##### Sec.

- 1413.1 Sales of Douglas fir plywood at higher than maximum prices prohibited.
- 1413.2 To what products, transactions, and persons this regulation applies.
- 1413.3 Maximum prices for direct mill sales.
- 1413.4 Maximum prices for plywood distribution plant sales.
- 1413.5 Maximum prices for all other warehouse or yard sales of Douglas fir plywood.
- 1413.6 What the invoice must contain.
- 1413.7 Prohibited practices.
- 1413.8 Maximum prices for items not specifically priced.
- 1413.9 Petitions for adjustment and amendment.
- 1413.10 Records and reports.
- 1413.11 Enforcement and licensing.
- 1413.12 Relation to other regulations.
- 1413.13 Effective date.
- 1413.14 Appendix A. Maximum prices: Moisture resistant plywood.
- 1413.15 Appendix B. Maximum prices: Exterior type plywood.
- 1413.16 Appendix C. Estimated average weights of plywood.

AUTHORITY: §§ 1413.1 to 1413.16, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871

§ 1413.1 *Sales of Douglas fir plywood at higher than maximum prices prohibited.* (a) On and after December 5, 1942, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Douglas fir plywood at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things.

(b) If, upon the purchase of Douglas fir plywood, the buyer gets from the seller a written statement that to the best of his knowledge the price does not exceed the maximum price fixed by this regulation, and if the buyer has no reason to doubt the truth of the statement, the buyer shall be deemed to have complied with this section.

<sup>1</sup> 7 F.R. 5567, 7321, 8402, 8948.



(c) Prices lower than the maximum prices may, of course, be charged and paid.

§ 1413.2 *To what products, transactions, and persons this regulation applies*—(a) *Products covered by the regulation.* This regulation covers sales of all grades and sizes of Douglas fir plywood. All the grade terms, other than "Sound 1 Side Plypanel", used in the regulation refer to the standards of the United States Department of Commerce, National Bureau of Standards, published in Commercial Standard CS45-40 (Douglas Fir Plywood, Domestic Grades), Fourth Edition, effective August 20, 1940. The grade rule for "Sound 1 Side Plypanel" is contained in a footnote to Appendix A (§ 1413.14).

(b) *Transactions covered by the regulation.* This regulation covers all sales of Douglas fir plywood. The regulation divides sales into three kinds:

- (1) Direct mill sales;
- (2) Plywood distribution plant sales;
- (3) All other warehouse and yard sales.

(i) *"Direct mill sale".* A "direct mill sale" is a sale in which the shipment of plywood originates at a plywood mill (a factory or plant which processes Douglas fir peeler logs into plywood), no matter who the seller is, and no matter whether he usually is known as a mill operator, wholesaler, retailer, distributor, or anything else. A shipment is regarded as originating at a mill if the plywood reaches the purchaser without ever becoming an integral part of the stock of a distribution warehouse or yard. For example, if a distribution warehouse takes an order for an aircraft factory, and then obtains the plywood from a mill, puts it in the warehouse, and delivers it as needed, the sale is a direct mill sale since the plywood never became an integral part of the stock of the warehouse.

(ii) *"Plywood distribution plant sale".* A "plywood distribution plant sale" is a sale in which plywood is shipped to the purchaser out of the stock of a plywood distribution plant, whether the seller is the distribution plant, a wholesale or retail lumber yard, or anyone else. A shipment is considered to be made out of the stock of a plywood distribution plant only if the plywood was a part of the regular distribution plant stock at the time the sale was made. A plywood distribution plant is a wholesale or retail warehouse or yard which satisfies both of the following tests:

(a) Does not process plywood from Douglas fir peeler logs; and

(b) During the first six months of 1941 received more than 20 percent of its dollar income from sales of plywood or veneer of any kind.

(iii) *Sales included under "all other warehouse or yard sales."* The term "all other warehouse or yard sales" covers any sale of Douglas fir plywood which is not a direct mill sale or a plywood distribution yard sale. The term includes all sales out of the stocks of distribution warehouses and yards other than ply-

wood distribution plants (defined in the paragraph immediately above) where the plywood is in the regular stock of the warehouse or yard at the time the sale is made.

(c) *Persons covered by this regulation.* Any person who sells or purchases (in the course of trade or business) Douglas fir plywood is subject to this regulation. The term "person" includes: an individual, corporation, or any other organized groups; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of the foregoing.

§ 1413.3 *Maximum prices for direct mill sales*—(a) *Maximum f. o. b. mill prices for direct mill sales.* The maximum prices, f. o. b. mill, for direct mill sales of Douglas fir plywood are set out in Appendices A and B (§§ 1413.14 and 1413.15) of this regulation. In determining whether a shipment takes the ceiling price for a carload shipment or for a less than carload shipment, a minimum carload is to be a total of 38,000 pounds. If either Douglas fir doors or Douglas fir millwork, or both, are included in a car with one or more grades or sizes of Douglas fir plywood, they must be included in figuring the total weight of the shipment.

(b) *Maximum delivered prices for direct mill sales.* A delivered price for a direct mill sale may be charged by the seller and paid by the buyer. The maximum delivered price for direct mill sales is the maximum f. o. b. mill price plus a charge for delivery to the purchaser figured under the rules in the next paragraph.

(c) *How to figure charges for delivery*—(1) *Common or contract carrier.* When delivery is by common or contract carrier, the actual amount paid to the carrier may be added. The estimated average weights in Appendix C (§ 1413.16) of this regulation may be applied to the appropriate freight rate in figuring the allowable charge for delivery.

(2) *Private truck.* When delivery is by truck owned or controlled by the seller, the amount added for delivery may not be more than the actual cost to the seller of delivery by truck. This "actual cost" may not be higher than the overall average trucking cost for a similar delivery, arrived at as of the 6-month period ending September 1, 1942.

(3) *Rounding out to the nearest nickel.* The charge for delivery may be evened out to the nearest nickel per 1,000 square feet.

(d) *Addition for storage in transit.* When a distribution warehouse or yard sells plywood that it does not already have in stock, and then, instead of shipping it directly from the mill to the buyer, stores it in its warehouse or yard and delivers it, in quantities less than the total order, to the buyer as he calls for it, the distributor may add \$3.00 per 1,000 square feet to the maximum price of so much of the plywood as is actually stored. (Note that the sale is still a direct mill sale.)

This addition may not be made when the distributor merely reloads plywood at the warehouse or yard, or handles and stores it no more than is necessary in a normal case where the distributor receives a mill shipment, reloads it, and delivers it to the buyer.

§ 1413.4 *Maximum prices for plywood distribution plant sales*—(a) *Maximum prices for plywood at the plywood distribution plant.* The maximum price, f. o. b. plywood distribution plant, for plywood distribution plant sales is the sum of the following three items:

Item I. The maximum f. o. b. mill price for direct mill sales.

Item II. The inbound transportation charge to the plywood distribution plant based on the applicable carload freight rate from Portland, Oregon, and the appropriate estimated average weights set out in Appendix C (§ 1413.16) of this regulation. The incoming transportation charge may be rounded out to the nearest nickel per 1,000 square feet.

Item III. A markup of 20 percent on the sum of Items I and II; or if the distribution plant sale involves less than \$200.00 worth of Douglas fir plywood, a markup of 25 percent on the sum of Items I and II. This markup may be rounded out to the nearest nickel per 1,000 square feet.

(b) *Maximum delivered prices for plywood distribution plant sales*—(1) *Delivery within a free delivery zone.* If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller cannot charge for making the delivery.

(2) *Delivery outside free delivery zones.* If the buyer requests delivery outside the free delivery zones which the seller recognized during March 1942, the seller can charge for delivery (outbound freight) according to the same rules as those applying to delivery charges on direct-mill sales. (See the preceding § 1413.3 (c) *How to figure charges for delivery.*)

(c) *Example of calculating the maximum price for a plywood distribution plant sale.* An example of the correct application of this section is as follows:

The buyer has ordered 10,000 square feet of plywood, 3/4" 3 ply S2S to 1/4". The plywood distribution plant is in Baltimore, Maryland, and the plywood is delivered by rail out of the regular stock of the distribution plant to a buyer located on a rail siding in Washington, D. C. Washington is outside the free delivery zones which the seller recognized in March 1942.

	Per M square feet
Item I. F. o. b. mill price for direct mill shipment of a carload (established in Appendix A).....	\$30.00
Item II. Inbound transportation (\$1.00 rate (carload) x 790 (estimated weight)), evened to nearest 5¢.....	7.90
Item III. Markup (20 percent of Items I and II on sales over \$200.00), rounded out to the nearest 5¢.....	7.60

Maximum price at the Baltimore plywood distribution plant..... \$45.50



Item IV. L. C. L. rail freight from Baltimore to Washington (which is outside the seller's free delivery zones) (28¢ rate (L. C. L.) x 790 (estimated weight)), evened to nearest 5¢ ----- **\$2.20**

Maximum price delivered to purchaser in Washington ----- **\$47.70**

(d) *Special added markup for retail and wholesale lumber yards.* When a retail or wholesale lumber yard that is not a plywood distribution plant sells plywood which it does not have in stock at the time of sale and which it buys out of the regular stock of a plywood distribution plant, the yard may add a markup of \$2.00 per 1,000 square feet to the maximum price which is established in this section. (Note that such a sale is a plywood distribution plant sale since the retail or wholesale lumber yard did not have the plywood in stock at the time of sale.)

(e) *Special deduction for pick-up by retail and wholesale lumber yards.* When a retail or wholesale lumber yard buys plywood in a plywood distribution plant sale and picks up the plywood at the distribution plant, the maximum prices established in this section must be reduced as follows:

Thickness of plywood:	Deduction per M sq. ft.
1/4" -----	\$1.00
3/8" and thicker -----	2.00

§ 1413.5 *Maximum prices for all other warehouse or yard sales of Douglas fir plywood.* The maximum price for all other warehouse or yard sales of plywood is to be computed in the same manner as the ceiling price for plywood distribution plant sales, except that two changes are to be made in figuring the ceiling price:

(a) Inbound and outbound delivery charges are to be figured on the basis of the location of the warehouse or yard (rather than on the location of a plywood distribution plant).

(b) The mark-up on the sum of the f. o. b. mill price (for direct mill shipments) and inbound carload freight is 33 percent (instead of 20 and 25 percent).

§ 1413.6 *What the invoice must contain—(a) General.* Because of the number of possible additions to the basic f. o. b. mill prices, it is necessary that some of them be separately shown on the invoice. Otherwise the purchaser and the Office of Price Administration could not tell in many cases whether a price which appeared to be above the ceiling was legal or not.

Failure to invoice properly is just as much a violation of this regulation as charging an excessive price.

(b) *Basic price.* All invoices must contain a sufficiently complete description of the plywood to show whether the price is proper or not. Any specification or extra which affects the maximum price must be mentioned in the description.

The amount added for extras does not have to be separately shown, except in a few special cases which are specifically mentioned later in this section.

(c) *Type of sale.* The invoice must show whether the sale is a direct mill sale, a plywood distribution plant sale, or a sale included in the class "all other warehouse or yard sales".

(d) *Transportation charges.* In delivered sales, the invoice must contain the:

(1) Point of origin of the shipment;

(2) Destination;

(3) Rail or truck rate (or, if delivery is by private truck, the amount added for transportation).

(e) *Storage charges.* Any separate charge which the seller is permitted to make for storage in transit must be shown separately on the invoice.

§ 1413.7 *Prohibited practices—(a) General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars and cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific prohibited practices.* The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices or cash discounts from what they were in August 1941. This includes reducing the cash discount period, decreasing credit periods, or making greater charges for extension of credit. For purposes of this paragraph, no discount over 2 percent is considered a cash discount.

(2) Unnecessarily routing plywood through a plywood distribution plant or other warehouse or yard.

(3) Refusing to sell on an f. o. b. mill basis (in the case of direct mill shipments) or on an f. o. b. warehouse or yard basis (in the case of all other sales), and insisting on selling on a delivered basis. The purchaser must be given the option of making his own transportation arrangements.

(4) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(5) Charging a purchasing commission based on quantity or value of the plywood purchased, if the commission plus the purchase price is higher than the maximum price permitted by this regulation.

(6) Breaking up an order which would normally be a single order into a series of smaller orders in order to evade the maximum price limitations set forth in this regulation.

(c) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect at some time after delivery of the plywood has been completed. But the price may be adjustable to the maximum price in effect at the time of delivery.

§ 1413.8 *Maximum prices for items not specifically priced—(a) Scope of this section.* This section provides pricing methods for any items of Douglas fir plywood not specifically priced in Appendices A and B (§§ 1413.14 and 1413.15), including:

(1) Moisture resistant plywood shipped pursuant to a "military order" (§ 1276.1 (c) (2) of Limitation Order L-150, as amended).

(2) Moisture resistant plywood shipped pursuant to written authorization of the War Production Board (§ 1276.1 (b) of Limitation Order L-150, as amended).

(3) Moisture resistant plywood which qualifies as "work in process" (§ 1276.1 (b) of Limitation Order L-150, as amended).

(4) Exterior plywood in special grades or sizes.

(5) Cut-backs; rejects; plywood from short length veneers.

(b) *Pricing method (except for cut-backs, rejects, and plywood from short length veneers).* (1) If the item was priced in the tables in Revised Price Schedule No. 13, (that is, the tables as they stood before July 25, 1942), that price is the maximum price.

(2) In all other cases, the maximum price is a price which bears the March 1941 relation to the price of the most closely related item which is specifically priced in Appendices A or B (§§ 1413.14 and 1413.15). The producing mill must send to the Office of Price Administration, Washington, D. C., a complete description of the specifications, the purchaser's name, points of origin and delivery, the price and the way in which the price was calculated. The price may be ordered reduced, if found excessive. But if it is not disapproved within 30 days of receipt of the report, it is approved. A seller using this pricing method may go ahead with delivery and collection of the price he has computed. But he must tell the buyer that the price is subject to revision within the thirty-day period, and, if the price is ordered reduced, must refund any excess over the final approved price.

(c) *Pricing method for cut-backs, rejects, and plywood from short length veneers.* This paragraph (c) applies to plywood which has been rejected by grading process, reclaimed plywood of odd sizes developed by cutting back rejects, and plywood produced from short length veneers developed because of defects in logs. The maximum price is the lower of the following two prices:

(1) The price charged by the producing mill between October 1 and October 15, 1941, for the same kind and size; or

(2) The price per thousand feet specified in Appendices A or B for the grade and thickness in the size next lower than the developed size. Where, as in the case of plywall, plysord, and plyform, the price tables do not carry differentials down to a 24" width, the differentials established for plypanel Sound Two Sides shall be used. For example, if a piece of 1/8" plysord in a 28" width is



developed, the price of \$27.00 must be reduced by \$1.00, since in  $\frac{3}{8}$ " plypanel the differential between 36" width, which is the narrowest plyscord size, and 24" width is \$1.00. Similarly, for  $\frac{3}{8}$ " plywall in a width of 40" the price would be \$30.00 less \$1.85, since that is the differential between 48" width and 36" width, which is the next narrower width in  $\frac{3}{8}$ " plypanel.

(d) *Sales by persons other than mills.* Maximum prices arrived at under this section apply to direct-mill sales by any seller for shipments originating at the mill which computed the price. They are also to be used as the basis on which to compute the price for plywood distribution plant, and other warehouse and yard sales of the particular item.

§ 1413.9 *Applications for adjustment and petitions for amendment—(a) Government contracts.* (1) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the defense of the United States". It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that a maximum price established in this regulation is impeding or threatens to impede production of Douglas fir plywood which is essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6,<sup>2</sup> issued by the Office of Price Administration.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,<sup>3</sup> issued by the Office of Price Administration.

§ 1413.10 *Records and reports—(a) Records.* All sellers must keep records which will show a complete description of the items of plywood sold, the name and address of the buyer, the date of the sale and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought 38,000 pounds or more of Douglas fir plywood. They must be kept for two years, for inspection by the Office of Price Administration. Any records which the Office of Price Administration later requires must also be kept.

(b) *Reports.* Any reports that the Office of Price Administration has required in the past, or requires from time to time, must be submitted.

§ 1413.11 *Enforcement and licensing.* (a) Persons violating any provision of

this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

(c) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. "War procurement agencies" include the War Department, the Department of the Navy, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(d) All sellers under this regulation, except mills, have been licensed by Supplementary Order 18. This Order, in brief, provides that a license is necessary, except for mills, to make sales under this regulation. A license is automatically granted to all sellers making these sales. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942 and Supplementary Order 18 tell the circumstances under which licenses may be suspended. The license cannot be transferred.

§ 1413.12 *Relation to other regulations—(a) General Maximum Price Regulation.* Any sale or delivery covered by this Revised Maximum Price Regulation No. 13 is not subject to the General Maximum Price Regulation.

(b) *Maximum Export Price Regulation.* The maximum price for export sales of Douglas fir plywood is governed by the Maximum Export Price Regulation.

§ 1413.13 *Effective date.* (a) This regulation (§§ 1413.1 to 1413.16, inclusive) shall become effective December 5, 1942.

(b) If Douglas fir plywood has been received before December 5, 1942, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation. It remains subject to the terms of any regulation, whether the General Maximum Price Regulation or earlier version of this regulation, which covered it at the time the plywood was turned over to the carrier.

§ 1413.14 *Appendix A: Maximum prices: Moisture resistant plywood.*

(a) *Basic prices.* The maximum prices, f. o. b. mill, for direct-mill sales of moisture-resistant type Douglas fir plywood, in grades and sizes listed in § 1276.1 (b) of Limitation Order L-150,<sup>4</sup> as amended, shall be as follows:

(1) **PLYSCORD**

(Douglas Fir Plywood Sheathing)

(1) Maximum prices for plyscord in widths of 36" and 48" and in lengths of 96":

\*7 F.R. 5059, 7242, 8829, 9000.  
\*7 F.R. 4482, 7796.

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
$\frac{3}{16}$ " 3 Ply, rough.....	\$27.00	\$28.10
$\frac{3}{8}$ " 3 Ply, rough.....	32.00	33.45
$\frac{1}{2}$ " 3 or 5 Ply at mill's option, rough.....	42.15	44.70
$\frac{5}{8}$ " 3 or 5 Ply at mill's option, rough.....	52.25	55.65

(ii) *Long standard lengths.* For panels in widths of 36" and 48" and in lengths of 9', 10', 11', and 12', the following additional charges may be made:

\$5.25 per M sq. ft. for 9' lengths.  
\$8.00 per M sq. ft. for 10' lengths.  
\$13.25 per M sq. ft. for 11' lengths.  
\$16.00 per M sq. ft. for 12' lengths.

(2) **PLYWALL**

(Douglas Fir Plywood Wallboard)

(1) Maximum prices for plywall in widths of 48" and in lengths of 60", 72", 84", and 96":

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
$\frac{3}{16}$ " 3 Ply S2S to $\frac{1}{4}$ ".....	\$30.00	\$31.20
$\frac{3}{16}$ " 3 Ply S2S to $\frac{3}{8}$ ".....	40.50	42.90
$\frac{3}{16}$ " 5 Ply S2S to $\frac{1}{2}$ ".....	54.50	58.15
$\frac{1}{4}$ " Studding strips (per M lineal feet)....	5.30	5.30

(ii) *Long standard lengths.* For panels in widths of 48" and in lengths of 9', 10', 11', and 12', the following additional charges may be made:

\$5.25 per M sq. ft. for 9' lengths.  
\$8.00 per M sq. ft. for 10' lengths.  
\$13.25 per M sq. ft. for 11' lengths.  
\$16.00 per M sq. ft. for 12' lengths.

(3) **PLYFORM**

(Douglas Fir Plywood Concrete Form Panels)

(1) Maximum prices for plyform in widths of 36" and 48" and in lengths of 60", 72", 84", and 96":

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
$\frac{3}{16}$ " 3 Ply S2S to $\frac{1}{4}$ " (Form liners).....	\$44.00	\$47.00
$\frac{3}{16}$ " 5 Ply S2S to $\frac{1}{2}$ ".....	76.10	83.15
$\frac{5}{8}$ " 5 Ply S2S to $\frac{3}{4}$ ".....	81.40	89.00
$\frac{1}{2}$ " 5 Ply S2S to $\frac{3}{4}$ ".....	85.50	93.15
$\frac{3}{4}$ " 5 Ply S2S to $\frac{3}{4}$ ".....	94.30	103.05

(ii) *Oiled faces.* For plyform with oiled faces, a charge not to exceed \$1.00 per M sq. ft. may be added.

(iii) *Wide width.* Add to the maximum price for 48" widths:

\$8.00 per M sq. ft. for 60" widths.

\*7 F.R. 5087, 5664.

\*7 F.R. 8961.



(iv) Long lengths. Add to the maximum price for 96" lengths:

\$5.25 per M sq. ft. for 9' lengths.  
\$8.00 per M sq. ft. for 10' lengths.  
\$13.25 per M sq. ft. for 11' lengths.  
\$16.00 per M sq. ft. for 12' lengths.

(4) AUTOMOBILE AND INDUSTRIAL PLYWOOD—  
ROUGH PANELS

(i) Maximum prices for automobile and industrial plywood—rough panels:

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
1/4" rough, 3 ply, sizes up to 48" x 96".....	\$29.20	\$31.95
3/8" rough, 3 ply, sizes up to 48" x 96".....	29.20	31.95
1/2" rough, 3 ply, sizes up to 48" x 96".....	35.00	38.50
1/2" rough, 5 ply, sizes up to 48" x 96".....	48.80	53.40
3/4" rough, 5 ply, sizes up to 48" x 96".....	53.75	58.90
1" rough, 5 ply, sizes up to 48" x 96".....	58.75	64.35
1 1/4" rough, 5 ply, sizes up to 48" x 96".....	63.70	69.80
1 1/2" rough, 5 ply, sizes up to 48" x 96".....	68.65	75.20
1 3/4" rough, 5 ply, sizes up to 48" x 96".....	78.60	86.05
2" rough, 7 ply, sizes up to 48" x 96".....	82.30	90.10

(ii) Wide width. Add to the maximum price for 48" widths:

Per M sq. ft.

Over 48" to 60", inclusive..... \$8.00

(iii) Long lengths. Add to the maximum price for 96" lengths:

Per M sq. ft.

Over 96" to 108", inclusive..... \$5.25

Over 108" to 120", inclusive..... 8.00

Over 120" to 132", inclusive..... 13.25

Over 132" to 144", inclusive..... 16.00

(5) PLYPANEL—SOUND 1 SIDE

(i) Maximum prices for plypanel—Sound 1 side—in widths of 24", 30", 36", and 48" and in lengths of 60", 72", 84", and 96":

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
3/16" 3 ply S2S to 1/4" or 1/2"— 3 ply S2S to 3/8":		
24" width.....	\$33.15	\$36.35
30" and 36" width.....	34.15	37.30
48" width.....	36.00	39.35
1/4" 3 ply S2S to 1/2":		
24" width.....	29.65	32.85
30" and 36" width.....	30.65	33.80
48" width.....	32.50	35.85
3/8" 3 ply S2S to 1/2":		
24" width.....	40.75	44.95
30" and 36" width.....	41.70	45.95
48" width.....	43.55	47.95
1/2" 5 ply S2S to 1/2":		
24" width.....	56.45	62.05
30" and 36" width.....	57.35	63.00
48" width.....	59.20	65.10
1 1/4" 5 ply S2S to 1/2":		
24" width.....	67.45	74.15
30" and 36" width.....	68.40	75.15
48" width.....	70.20	77.15
1 3/4" 5 ply S2S to 1/2":		
24" width.....	78.75	84.25
30" and 36" width.....	77.60	85.20
48" width.....	79.40	87.25

\* "Sound 1 side plypanel" means a grade of moisture resistant type Douglas fir plywood which satisfies the following standards: The face shall be of one or more pieces of firm

(ii) Wide width. Add to the maximum price for 48" widths:

\$8.00 per M sq. ft. for 60" widths.

(iii) Long lengths. Add to the maximum price for 96" lengths:

\$5.25 per M sq. ft. for 9' lengths.  
\$8.00 per M sq. ft. for 10' lengths.  
\$13.25 per M sq. ft. for 11' lengths.  
\$16.00 per M sq. ft. for 12' lengths.

(6) PLYPANEL—SOUND 2 SIDES

(i) Maximum prices for plypanel—Sound 2 sides—in widths of 24", 30", 36", and 48" and in lengths of 60", 72", 84", and 96":

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
3/16" 3 ply S2S to 1/4" or 1/2"— 3 ply S2S to 3/8":		
24" width.....	\$35.65	\$38.85
30" and 36" width.....	36.65	39.80
48" width.....	38.50	41.85
1/4" 3 ply S2S to 1/2":		
24" width.....	32.15	35.35
30" and 36" width.....	33.15	36.30
48" width.....	35.00	38.35
3/8" 3 ply S2S to 1/2":		
24" width.....	43.25	47.45
30" and 36" width.....	44.20	48.45
48" width.....	46.05	50.45
1/2" 5 ply S2S to 1/2":		
24" width.....	58.95	64.55
30" and 36" width.....	59.85	65.50
48" width.....	61.70	67.00
1 1/4" 5 ply S2S to 1/2":		
24" width.....	69.95	76.65
30" and 36" width.....	70.90	77.65
48" width.....	72.70	79.65
1 3/4" 5 ply S2S to 1/2":		
24" width.....	79.25	86.75
30" and 36" width.....	80.10	87.70
48" width.....	81.90	89.75

(ii) Wide width. Add to the maximum price for 48" widths:

\$8.00 per M sq. ft. for 60" widths.

(iii) Long lengths. Add to the maximum price for 96" lengths:

\$5.25 per M sq. ft. for 9' lengths.  
\$8.00 per M sq. ft. for 10' lengths.  
\$13.25 per M sq. ft. for 11' lengths.  
\$16.00 per M sq. ft. for 12' lengths.

(7) DOOR PANELS—SOUND 2 SIDES

(i) Maximum prices for door panels—Sound 2 sides—in widths of 22", 24", 26", 28", 30", 36" and 48" and in lengths of 60", 72", 84" and 96": (All sizes to be figured on actual surface measure furnished)

smoothly cut veneer. When of more than one piece, it shall be well joined and reasonably matched for grain and color at the joints. It shall be free from knots, splits, checks, pitch pockets and other open defects. Streaks, discolorations, sap wood, shims and neatly made patches shall be admitted. The face shall present a smooth surface suitable for painting. The back shall present a solid surface with all knots in excess of one inch patched and with the following permitted: Not more than six knotholes or borer holes 1/4 of an inch or less in greatest dimension, splits 1/4 of an inch or less in width and pitch pockets not in excess of one inch wide or three inches long or that do not penetrate through veneer to glue line. There may be any number of patches and plugs in the back.

	Price per M sq. ft. f. o. b. mill	
	Straight carloads	Less than carloads
3/16" 3 ply S2S to 1/4":		
22" and 24" width.....	\$32.15	\$35.35
26", 28", 30" and 36" width.....	33.15	36.30
48" width.....	35.00	38.35

(b) Special extras. The following additions to the maximum price established in paragraph (a) of this section may be made for the specified special extras:

(1) Selected sound cores and crossbands:

\$2.50 per M sq. ft. for 3 Ply.  
\$7.50 per M sq. ft. for 5 Ply.  
\$12.50 per M sq. ft. for 7 Ply.

(2) Core stock: (In lengths not over 48") Add to maximum price for sound 2 sides or sound 1 side in 48" widths:

\$10.00 per M sq. ft. for widths up to 96".  
\$15.00 per M sq. ft. for widths up to 108".  
\$20.00 per M sq. ft. for widths up to 120".  
\$25.00 per M sq. ft. for widths up to 132".  
\$30.00 per M sq. ft. for widths up to 144".

(3) Redrying:

\$3.00 per M sq. ft. (No addition for 1/4 or 3/8" sanded panels).

(4) Special gluing specifications:

\$5.00 per M sq. ft. for 3 Ply.  
\$10.00 per M sq. ft. for 5 Ply.  
\$15.00 per M sq. ft. for 7 Ply.

NOTE: This shall include all special glue specifications and assembly requirements. Each panel so manufactured shall be stamped with the word "Special".

(5) Treating panels with waterproofing agent (oiling):

\$2.50 per M sq. ft. (This addition may not be made for Plyform.)

(6) Treating panels with edge sealer:

\$1.00 per M sq. ft. (This addition may not be made for Plyform.)

(7) Treating panels with resin sealer (one or two sides):

\$10.50 per M sq. ft.

(8) Bundling in paper packing:

\$0.35 per 1/16" in thickness per M sq. ft.

(9) Wire or twine bundling:

\$0.50 per M sq. ft. for small cut-to-size panels, 3 ply (containing less than 9 sq. ft. per panel) tied with either twine or wire. \$1.00 per M sq. ft. for small cut-to-size panels, 5 ply or heavier (containing less than 9 sq. ft. per panel) tied with either twine or wire.

(10) Segregating and/or lot-marking on car of two or more lots:

\$2.50 per lot for each lot over one.

(c) Deduction for unsanded stock. The following deduction from the maximum prices for moisture resistant type Douglas fir plywood stated in paragraph (a) of this section shall be made for unsanded stock in grades other than plysord and automobile and industrial plywood:

Deduct \$1.25 per M sq. ft. from the maximum price for the thickness to which the panel would regularly be sanded.

§ 1413.15 Appendix B: Maximum prices exterior type plywood.

(a) Basic prices. The maximum prices, f. o. b. mill, for direct-mill sales of exterior type Douglas fir plywood in widths of 12" to 48" in even 2" breaks and in lengths of 96" and shorter shall be as follows:



	Per M sq. ft. in carload lots, f. o. b. mill		
	Sound 2 sides	Industrial grade	Sound 1 side
1/2" sanded			
1/2" unsanded	\$47.50	\$45.50	\$43.50
3/8" sanded			
3/8" unsanded	48.50	46.50	44.50
1/2" sanded	55.00	53.00	51.00
1/2" unsanded	61.00	59.00	57.00
5/8" sanded	81.50	79.00	76.50
5/8" unsanded	88.00	86.00	84.00
3/4" sanded	95.00	93.50	91.50
3/4" unsanded	103.50	101.50	99.50
7/8" sanded	112.00	110.00	107.50
7/8" unsanded	121.00	119.00	117.00
1" sanded	143.00	140.50	138.50
1" unsanded	152.00	149.50	147.00
1 1/8" sanded	160.50	158.50	156.50
1 1/8" unsanded	170.50	168.00	166.00
1 1/4" sanded	180.00	178.00	176.00
1 1/4" unsanded	190.50	188.00	185.50

(b) *Special extras.* The following additions to the maximum prices established in paragraph (a) of this section may be made for the specified special extras:

(1) *Wide widths:* Add to maximum price for 48" widths:

Per M sq. ft.

Over 48" to 60", inclusive, sanded or unsanded	\$8.15
Over 60" to 72", inclusive, sanded or unsanded	10.90
Over 72" to 84", inclusive, unsanded only	16.30
Over 84" to 96", inclusive, unsanded only	24.50
Up to 96" wide where length is not more than 48"	5.45

(2) *Long lengths:* Add to the maximum price for 96" lengths:

Per M sq. ft.

Over 96" to 108", inclusive, sanded or unsanded	\$5.45
Over 108" to 120", inclusive, sanded or unsanded	8.15
Over 120" to 132", inclusive, sanded or unsanded	13.60
Over 132" to 144", inclusive, sanded or unsanded	16.30
Over 144" to 156", inclusive, sanded or unsanded	43.50
Over 156" to 168", inclusive, sanded or unsanded	54.40
Over 168" to 180", inclusive, sanded or unsanded	65.20
Over 180" to 192", inclusive, sanded or unsanded	76.10
Over 192" to 216", inclusive, sanded or unsanded	97.90
Over 216" to 288", inclusive, sanded or unsanded	108.80

(3) *Treating panels with waterproofing agent (oil):*

\$2.75 per M sq. ft.

(4) *Treating panels with resin sealer:*

\$8.15 per M sq. ft.

(5) *Bundling in paper packing:*

\$0.40 per 1/2" in thickness per M sq. ft.

(6) *Bundling: carton packed, steel strapped:*

\$0.65 per 1/2" in thickness per M sq. ft.

(7) *Sizes containing less than one square foot:*

10 percent of the maximum price stated in paragraph (a) of this section.

### § 1413.16 Appendix C: Estimated average weights of plywood.

Estimated average weights no higher than the following may be used in figuring delivery charges:

Pounds per M surface feet

1/2"	490
3/8"	640
1/2"	790
5/8"	950
3/4"	1,125
7/8"	1,300
1"	1,525
1 1/8"	1,675
1 1/4"	1,825
1 1/2"	2,000
1 3/4"	2,225
1 7/8"	2,375
2"	2,600
2 1/8"	2,800
2 1/4"	3,000
2 1/2"	3,175
2 3/4"	3,350

For thicknesses greater than 1 1/8", use 1" weight plus weight of other thicknesses necessary.

Pounds per M lineal feet

1/4" Studding strips	150
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Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12690; Filed, November 30, 1942; 4:58 p. m.]

### PART 1499—COMMODITIES AND SERVICES

[Amendment 44 to Supp. Reg. 1 to GMPR<sup>2</sup>]

#### EXCEPTIONS FOR CERTAIN MACHINES OR PARTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Subparagraph (3) of § 1499.26 (a) is amended as set forth below:

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries—(a)* \* \* \*

(3) Any machine or part excluded from Maximum Price Regulation No. 136, as amended, by § 1390.2, except that the provisions of the General Maximum Price Regulation shall apply to any machine or part excluded from Maximum Price Regulation No. 136, as amended, by paragraph (f) of § 1390.2.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F. R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317, 7598, 7604, 7739, 8336, 8652, 8798, 8833, 8930, 9082, 9131, 9616, 9622.

<sup>2</sup> 7 F. R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616.

<sup>3</sup> 7 F. R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6937, 6964, 6965, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7944, 7945, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 8948, 9001, 9040, 9041, 9042, 9053, 9054.

(e) *Effective dates.* \* \* \*

(45) Amendment No. 44 (§ 1499.26 (a) (3)) to Supplementary Regulation No. 1 shall become effective December 5, 1942.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F. R. 7871)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12689; Filed, November 30, 1942; 5:01 p. m.]

### PART 1499—COMMODITIES AND SERVICES

[Amendment 13 to Rev. Supp. Reg. 4 to GMPR]

#### EXCEPTIONS FOR CERTAIN SALES OR DELIVERIES OF PHOSPHORUS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

A new subparagraph (24) is added to § 1499.29 (a) as set forth below:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

(24) Sales or deliveries of phosphorus by the Tennessee Valley Authority to the War Department.

(d) *Effective dates.* \* \* \*

(14) Amendment No. 13 (§ 1499.29 (a) (24)) to Revised Supplementary Regulation No. 4 shall become effective December 5, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F. R. 7871)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12691; Filed, November 30, 1942; 5:02 p. m.]

### PART 1499—COMMODITIES AND SERVICES

[Amendment 71 to Supp. Reg. 14 to GMPR<sup>2</sup>]

#### MAXIMUM PRICES FOR CERTAIN SALES OF OIL MEALS AND OIL CAKES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith

<sup>1</sup> 7 F. R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6478, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 9639, 9786.

<sup>2</sup> 7 F. R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616.



and filed with the Division of the Federal Register.\* Subdivisions (i), (iv), and (v) (b) of subparagraph (44) of paragraph (a) of § 1499.73 are amended as set forth below.

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided.

(44) *Oil meals and oil cakes*—(i) *Maximum prices for certain sales of oil meals and oil cakes.* Maximum prices for sales of oil meals and oil cakes are hereby modified in the following particulars:

(a) *Sales by a processor in less than carload lots; differential or margin over prevailing carload price.* The maximum differential or margin that a processor may charge over his prevailing carload price at his plant for sales of oil meal or oil cake at his plant in less than carload lots shall be \$1.00 per ton in the case of sales to jobbers, wholesalers and retailers and \$3.00 per ton in the case of sales to persons other than jobbers, wholesalers and retailers.

(b) *Sales by a jobber; profit margin over cost.* A jobber may charge the maximum profit margin or markup of 50¢ per ton.

(c) *Sales by a wholesaler; profit margin over cost.* If a wholesaler purchases from a processor, his maximum profit margin or markup shall be \$2.50 per ton. If a wholesaler purchases from a jobber, his maximum profit margin or markup shall be \$2.00 per ton.

(d) *Sales by a retailer; profit margin over cost.* If a retailer purchases from a processor, his maximum profit margin or markup shall be \$5.50 per ton. If a retailer purchases from a jobber, his maximum profit margin or markup shall be \$5.00 per ton. If a retailer purchases from a wholesaler, his maximum profit margin or markup shall be \$3.00 per ton.

(e) The maximum profit margins over cost specified in inferior subdivisions (b), (c), (d) above may be charged only once, that is to say, on sales between jobbers or between wholesalers or between retailers, the applicable markup can be added only once.

(iv) *Profit margin includes all charges.* The profit margins as specified in subdivision (i) hereof includes, and no increase or charges shall in any manner be made for, brokerage, commissions, storage, insurance, extension of credit, carrying charges, handling charges, or any other charges of any nature whatsoever.

(v) *Cost.* The cost to which the above specified profit margins may be added is as follows:

(b) In the case of the wholesaler, the weighted average delivered price to him

\*Copies may be obtained from the Office of Price Administration.

on deliveries at his warehouse or place of business for the period October 1, 1942, to October 31, 1942, both inclusive, shall be his cost for the period November 1, 1942, to November 30, 1942, both inclusive. For each month succeeding November, 1942, his cost shall be the weighted average delivered price to him at his warehouse or place of business during the preceding calendar month. If no deliveries were made in any month the cost shall be determined in the manner aforesaid on the basis of deliveries during the last preceding month in which deliveries were made. The price paid by the wholesaler's buyer (the retailer) may include all applicable transportation charges from the wholesaler's warehouse or place of business to the place designated by the retailer: *Provided*, That under no circumstances shall the wholesaler's profit margin or markup exceed, if he purchased from a processor, \$2.50 per ton, or, if purchased from a jobber, \$2.00 per ton.

(b) *Effective dates.* \* \* \*

(72) Amendment No. 71 (§ 1499.73 (a) (44) (i), (iv), and (v) (b)) to Supplementary Regulation No. 14 of the General Maximum Price Regulation shall become effective November 30, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12669; Filed, November 30, 1942; 4:57 p. m.]

#### PART 1499—COMMODITIES AND SERVICES [Order 123 Under § 1499.18 (b) of GMPR]

##### KETTERLINUS LITHOGRAPHIC MANUFACTURING COMPANY

###### ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*:

§ 1499.1024 *Adjustment of maximum prices for sales of peanut candy bar wrappers sold by Ketterlinus Lithographic Manufacturing Company to Planters Nut and Chocolate Company.* (a) Ketterlinus Lithographic Manufacturing Company of Philadelphia, Pennsylvania, may sell and deliver to Planters Nut and Chocolate Company, and Planters Nut and Chocolate Company may buy and receive from Ketterlinus Lithographic Manufacturing Company peanut candy bar wrappers at prices not in excess of those established as follows:

	Per M
Wrappers for 5¢ peanut candy bars.....	\$1.07
Wrappers for 1¢ peanut candy bars.....	.28

This permission shall be retroactive to May 11, 1942.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 123 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 123 (§ 1499.1024) is hereby incorporated as a section of

Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 123 (§ 1499.1024) shall become effective December 1, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12676; Filed, November 30, 1942; 4:56 p. m.]

#### PART 1499—COMMODITIES AND SERVICES [Order 159 Under § 1499.3 (b) of GMPR]

##### SPECIFIC PHARMACEUTICALS, INC.

Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation—Order No. 159:

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*:

§ 1499.1175 *Approval of maximum prices for sales of heptadienecarboxylic acid bismuth by Specific Pharmaceuticals, Inc.* (a) On and after December 1, 1942, Specific Pharmaceuticals, Inc., a corporation having its principal place of business in New York, New York, may sell and deliver heptadienecarboxylic acid bismuth and any person may buy heptadienecarboxylic acid bismuth from Specific Pharmaceuticals, Inc., at prices no higher than \$23.50 per pound, f. o. b. New York, New York.

(b) On or before May 15, 1943, Specific Pharmaceuticals, Inc., shall furnish the Office of Price Administration in Washington, D. C., with a statement reporting in detail its costs of producing heptadienecarboxylic acid bismuth each month during the period from November 1, 1942, to May 1, 1943.

(c) The maximum prices established in this Order No. 159 shall include all charges for containers.

(d) When used in this Order No. 159, the term "heptadienecarboxylic acid bismuth" means the bismuth salt of heptadienecarboxylic acid.

(e) This Order No. 159 shall terminate on June 1, 1943, unless it is previously revoked by the Price Administrator.

(f) This Order No. 159 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 159 (§ 1499.1175) shall become effective on December 1, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12677; Filed, November 30, 1942; 4:56 p. m.]

#### PART 1499—COMMODITIES AND SERVICES [Correction to Orders Nos. 110, 111, 112, 113, 114, 115, 116 and 117 Under § 1499.18 (b) of GMPR]

All references to §§ 1499.1111, 1499.1112, 1499.1113, 1499.1114, 1499.1115, 1499.1116,



1499.1117 and 1499.1118 in Orders Nos. 110, 111, 112, 113, 114, 115, 116 and 117, respectively, are corrected to read as follows:

Section 1499.1111 in Order No. 110 should read § 1499.1011; § 1499.1112 in Order No. 111 should read § 1499.1012; § 1499.1113 in Order No. 112 should read § 1499.1013; § 1499.1114 in Order No. 113 should read § 1499.1014; § 1499.1115 in Order No. 114 should read § 1499.1015; § 1499.1116 in Order No. 115 should read § 1499.1016; § 1499.1117 in Order No. 116 should read § 1499.1017; § 1499.1118 in Order No. 117 should read § 1499.1018.

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12678; Filed, November 30, 1942;  
4:56 p. m.]

## Chapter XVIII—Office of Economic Stabilization

### Subchapter A—Office of the Director of Economic Stabilization

#### PART 4001—WAGES AND SALARIES

##### MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the President by the Constitution and the laws of the United States, and particularly by the Act of October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (Pub. Law 729, 77th Cong.), the following amendments to the regulations promulgated by the Director of Economic Stabilization, with the approval of the President, dated October 27, 1942 (7 F.R. 8748), are hereby promulgated:

1. § 4001.1 is amended by adding the following paragraphs thereto:

#### § 4001.1 Definitions. \* \* \*

(k) The terms "approval by the Secretary of Agriculture" and "determination by the Secretary of Agriculture" shall, except as may be provided in regulations prescribed by the Secretary, include an approval or determination by an agent or agents of the Secretary duly authorized to perform such act.

(l) The term "agricultural labor" shall mean persons working on farms and engaged in producing agricultural commodities whose salary or wage payments are not in excess of \$2,400 per annum. The Secretary of Agriculture may by regulation issue such interpretations of this term as he finds necessary.

2. The following sections are added immediately following § 4001.5 and preceding § 4001.6:

#### § 4001.5 Rules and regulations of commissioners. \* \* \*

§ 4001.5a. Authority of the Secretary of Agriculture. Notwithstanding the provisions of §§ 4001.2, 4001.4, 4001.6, and 4001.7, the Secretary of Agriculture shall have the authority to determine whether any salary or wage payments to agricultural labor are made in contravention

of the Act or any rulings, orders or regulations promulgated thereunder: *Provided, however*, That the provisions hereof shall not be construed to affect the authority of the National War Labor Board under the provisions of Executive Order No. 9017 (7 F.R. 237) as extended by Section 1, Title III of Executive Order No. 9250 (7 F.R. 7871, 7873). Any such determination by the Secretary shall be conclusive upon all Executive Departments and agencies of the Government in determining the costs or expenses of an employer for the purpose of any law or regulations, either heretofore or hereafter enacted or promulgated, including the Emergency Price Control Act of 1942 or any maximum price regulation thereof, or for the purpose of calculating deductions under the revenue laws of the United States, or for the purpose of determining costs or expenses under any contract made by or on behalf of the United States. Any determination of the Secretary made pursuant to the authority conferred on him shall be final and shall not be subject to review by the Tax Court of the United States or by any court in any civil proceedings.

§ 4001.5b Wage and salary increases for agricultural labor. Considering that the general level of salaries and wages for agricultural labor is substandard, that a wide disparity now exists between salaries and wages paid labor in agriculture and salaries and wages paid labor in other essential war industries, and that the retention and recruitment of agricultural labor is of prime necessity in supplying the United Nations with needed foods and fibers, and in order to correct and adjust these gross inequities and to aid in the effective prosecution of the war, no increases in wages and salaries of agricultural labor shall, notwithstanding any other provision of any rules, orders or regulations under the Act of October 2, 1942, be deemed in violation of the Act or of any rules, orders or regulations thereunder, unless and until the Secretary of Agriculture determines and gives public notice of his determination that, with respect to areas, crops, classes of employers, or otherwise, increases in salaries or wages for agricultural labor may no longer be made without the approval of the Secretary of Agriculture.

§ 4001.5c Wage and salary decreases for agricultural labor. No employer shall decrease wages or salaries paid to agricultural labor below the highest salary rate or wage paid for such work between January 1, 1942, and September 15, 1942, without the approval of the Secretary of Agriculture.

§ 4001.5d Rules, orders and regulations of the Secretary. The Secretary of Agriculture may make such rulings and issue such orders or regulations as he deems necessary to enforce or otherwise carry out the provisions of the regulations in this part.

3. § 4001.10 (a) is amended in the following particular:

§ 4001.10 Effect of unlawful payments. (a) The phrase "the Board or

the Commissioner, as the case may be," is amended to read "the Board, the Commissioner or the Secretary of Agriculture, as the case may be."

4. § 4001.14 is amended in the following particular:

§ 4001.14 Territories and possessions. The phrase "The Board and the Commissioner" is amended to read "The Board, the Commissioner or the Secretary of Agriculture, as the case may be."

5. Nothing herein shall be interpreted to prevent the Secretary of Agriculture from utilizing any other authority now or hereafter vested in him to insure an adequate supply of agricultural labor through salary or wage stabilization and otherwise to secure agricultural production necessary for the effective prosecution of the war through programs of procurement, transportation, distribution, housing, medical care, price support, or otherwise.

(Pub. Law 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

JAMES F. BYRNES,  
Economic Stabilization Director.

Approved:

FRANKLIN D. ROOSEVELT  
The White House,  
November 30, 1942.

[F. R. Doc. 42-12664; Filed, November 30, 1942;  
3:16 p. m.]

## TITLE 46—SHIPPING

### Chapter II—Coast Guard Inspection and Navigation

#### BOATS, RAFTS, AND LIFESAIVING APPLIANCES, ETC.

##### APPROVAL OF MISCELLANEOUS ITEMS OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 481, 489, 367) and Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609), the following miscellaneous items of equipment for the better security of life at sea are approved:

##### Lifeboat

12' x 5' x 2.25' metallic lifeboat, Type "OMS", (Dwg. No. 444, dated 11 June 1942), manufactured by Tregoning Boat Co., Seattle, Wash.

##### Life Floats

10-, 15-, 25-, and 40-person elliptical balsa wood life floats (Dwg. dated 14 September 1942), manufactured by Atlantic-Pacific Mfg. Corp., Brooklyn, N. Y.

10-person rectangular balsa wood life float, Model SK (Dwg. No. 6614, dated November 1942), and 12-person rectangular balsa wood life float, Model SK (Dwg. No. 6615, dated November 1942), manufactured by Modern Bell Co., Huntington Park, Calif.

15-person rectangular balsa wood life float, Type SK (Navy Dept. Dwg. No. SK-018309), manufactured by Modern Cabinet Co., Huntington Park, Calif.



25-, 40-, and 60-person tubular steel life floats, Type C (Dwg. No. 1709, dated 22 October 1942), manufactured by L. A. Young Spring & Wire Corp., Oakland, Calif.

#### Ring Life Buoys

Type "B" (Dwg. No. 2, dated 18 September 1942), Approval No. B-172, and Type "C" (Dwg. No. 3, dated 19 September 1942), Approval No. B-173, 30-inch cork ring life buoys, manufactured by Dodge Cork Co., Inc., Lancaster, Pa.

#### Bilge Pump for Lifeboats

No. PA202 pump for lifeboats (Dwg. dated 30 October 1942), manufactured by Blackmer Pump Co., Inc., Grand Rapids, Mich.

#### Parachute Cartridge Flares

Parachute cartridge flares, manufactured by Triumph Explosives, Inc., Elkton, Md.

L. T. CHALKER,  
Acting Commandant.

NOVEMBER 28, 1942.

[F. R. Doc. 42-12663; Filed, November 30, 1942;  
12:48 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

#### PART 440—ACCOUNTS

#### FREIGHT FORWARDERS; UNIFORM SYSTEM OF ACCOUNTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 4th day of November, A. D. 1942.

The matter of a uniform system of accounts to be prescribed for and kept by freight forwarders being under consideration by the Division, pursuant to the authority of section 412 of the Interstate Commerce Act, and upon consideration of the matters and things involved, and the Division having found that the Uniform System of Accounts for Freight Forwarders, issue of 1943, hereto attached and made a part hereof,<sup>1</sup> is necessary for purposes of administration of the provisions of Part IV of the Act.

It is ordered:

Sec.

440.1 Uniform system prescribed.

440.2 Additional subdivisions; temporary or experimental accounts.

440.3 Effective date.

AUTHORITY: §§ 440.1 to 440.3, inclusive, issued pursuant to sec. 412, 56 Stat. 294; 49 U.S.C. 1012.

§ 440.1 *Uniform system prescribed.* Every freight forwarder subject to the provisions of the Interstate Commerce Act having annual operating revenues exceeding \$100,000.00, and every trustee, executor, administrator, or assignee of any such freight forwarder, are hereby

<sup>1</sup> Filed as a part of the original document.

required to comply with the Uniform System of Accounts for Freight Forwarders, issue of 1943, in keeping and recording their accounts.

§ 440.2 *Additional subdivisions; temporary or experimental accounts.* Any such freight forwarder, and any trustee, executor, administrator, or assignee of such freight forwarder, in addition to the accounts prescribed in § 440.1, may subdivide said accounts in the manner required by any governmental body having jurisdiction, or to the extent required for reports to such governmental bodies, and may keep temporary or experimental accounts for the purpose of developing efficiency of operation, subject, however, to the requirement that such subdivisions of the accounts or such temporary or experimental accounts shall not impair the integrity of any primary account prescribed herein.

§ 440.3 *Effective date.* This issue of 1943 of the Uniform System of Accounts for Freight Forwarders shall become effective on January 1, 1943.

And it is further ordered, That a copy of this order and the Uniform System of Accounts herein prescribed shall be served upon every freight forwarder subject to the act and upon every trustee, executor, administrator, or assignee of any such freight forwarder, and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., by filing it with the Director of the Division of the Federal Register, The National Archives. By the Commission, Division 1.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 42-12699; Filed, December 1, 1942;  
11:24 a. m.]

### Chapter II—Office of Defense Transportation

[General Order ODT 21, Amendment 3]

#### PART 501—CONSERVATION OF MOTOR EQUIPMENT

#### SUBPART M—CERTIFICATES OF WAR NECESSITY FOR AND CONTROL OF COMMERCIAL MOTOR VEHICLES

Pursuant to Executive Order No. 8989 and Executive Order No. 9156, paragraph (b), § 501.96, as amended, and § 501.98, General Order ODT 21, as amended,<sup>1</sup> are hereby amended to read as follows:

§ 501.96 *Motor fuel and commercial motor vehicle parts, tires, or tubes.* No person shall:

(a) \* \* \*

(b) Transfer or deliver any motor fuel for the use of, or transfer, mount, install, or deliver any part, tire, or tube for the use of, any commercial motor vehicle, unless the operator of such commercial motor vehicle shall, at the time thereof,

sign a written receipt in duplicate, for such motor fuel, part, tire, or tube, and endorse on each copy of such receipt the number of the Certificate of War Necessity pertaining to the commercial motor vehicle in or upon which such motor fuel, part, tire, or tube is to be used: *Provided*, That when existing conditions render it impracticable to issue or sign such receipt, such operator shall furnish to the person making the transfer, delivery, or installation, his name, address, and the number of the Certificate of War Necessity pertaining to such motor vehicle and such person shall endorse the operator's name, address, and number upon the invoice covering such transaction. In the event such transfer, delivery, or installation is for the use of a fleet of commercial motor vehicles, the number of the Certificate of War Necessity pertaining to such fleet shall be endorsed on each such written receipt or invoice. The original receipt or the first copy of the invoice shall be retained by the person making the transfer, delivery, or installation, and a copy of the receipt or the original of the invoice retained by the operator of such commercial motor vehicle. Such receipts and invoices shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

§ 501.98 *Records and reports.* Any person operating a commercial motor vehicle in respect of which a Certificate of War Necessity has been issued, shall prepare and permanently maintain in the manner and form prescribed by the Office of Defense Transportation records of all operations conducted by such vehicle. A weekly record of such operations shall be maintained in accordance with the form provided on the reverse side of such Certificate of War Necessity, and shall be carried at all times in such vehicle: *Provided*, That, in respect of any vehicle covered by a fleet unit certificate (whose operations are embraced within required periodic fleet reports) such form shall contain only a record of the tire inspections of such vehicle. Such person shall keep such other records and make such reports as may be required and in the manner and form prescribed by the Office of Defense Transportation. All such records shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

This amendment shall become effective on December 1, 1942. (E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349)

Issued at Washington, D. C., this 30th day of November, 1942.

JOSEPH B. EASTMAN,  
Director of Defense Transportation.

[F. R. Doc. 42-12692; Filed, December 1, 1942;  
10:08 a. m.]

<sup>1</sup> 7 F.R. 7100, 9006, 9437.



## Notices

## DEPARTMENT OF THE INTERIOR.

## Bituminous Coal Division.

[Docket No. B-346]

STEFFEY &amp; FINDLAY, INC.

## NOTICE OF AND ORDER FOR HEARING

The Bituminous Coal Division (the "Division") finds it necessary in the proper administration of the Bituminous Coal Act of 1937 (the "Act") and the Bituminous Coal Code (the "Code") promulgated thereunder, to determine:

A. Whether Steffey & Findlay, Inc., a registered distributor, Registration No. 8671 (hereinafter sometimes referred to as the "Distributor"), whose address is 332 W. Church Street, Hagerstown, Maryland, has violated any provisions

of the Act, the Code and orders and regulations of the Division, including the Marketing Rules and Regulations, Rules and Regulations for the Registration of Distributors and the Distributor's Agreement (the "Agreement") dated October 30, 1940, and filed by Steffey & Findlay, Inc., with the Division on October 31, 1940, pursuant to an Order of the Division dated June 19, 1940, issued in General Docket No. 12, and more particularly whether subsequent to September 30, 1940, said Registered Distributor:

During the period December 27, 1940, to March 26, 1941, both dates inclusive, purchased for resale from code members located in Districts Nos. 1, 2, and 3, respectively, approximately 1547.75 net tons of various sized coals, produced by said code members at their respective mines, and resold said coal for rail shipment to the purchasers indicated below, and prepaid the freight thereon, totaling \$3659.79, as follows:

## (a) TROY LAUNDRY COMPANY, HAGERSTOWN, MARYLAND

Code member	Mine Index No.	District No.	Date of sale	Net tons	Car No. and Initial	Total freight prepaid	Date Dist. prepaid freight
Pittsburgh Coal Co.	29	2	Dec. 27, 1940	62.75	NYC 426902	\$150.71	Jan. 7, 1941
Jamison Coal & Coke Co.	7	2	Feb. 6, 1941	62.45	B&O 334731	149.97	Feb. 17, 1941
Pittsburgh Coal Co.	28	2	Mar. 14, 1941	63.35	NYC 915353	152.15	Mar. 20, 1941
Pittsburgh Coal Co.	29	2	June 11, 1941	66.15	PRR 744656	158.88	June 20, 1941
Pittsburgh Coal Co.	28	2	June 18, 1941	63.15	NYC 917938	151.67	June 27, 1941
Three Forks Coal Co.	34	3	Sept. 22, 1941	41.85	B&O 725232	100.44	Sept. 30, 1941
Pittsburgh Coal Co.	29	2	Nov. 6, 1941	65.65	PRR 188077	157.68	Nov. 13, 1941
Pittsburgh Coal Co.	29	2	Nov. 18, 1941	65.30	PRR 187939	156.84	Nov. 27, 1941
Pittsburgh Coal Co.	29	2	Nov. 25, 1941	66.70	MRR 3000	160.20	Dec. 9, 1941
				557.35		1,338.54	

## (b) HAGERSTOWN LAUNDRY COMPANY, HAGERSTOWN, MARYLAND

Pittsburgh Coal Co.	29	2	Jan. 27, 1941	52.00	MRR 17137	\$124.89	Feb. 5, 1941
Pittsburgh Coal Co.	28	2	Feb. 27, 1941	52.60	MRR 17027	126.33	Mar. 10, 1941
Pittsburgh Coal Co.	28	2	Mar. 19, 1941	52.30	MRR 16354	125.61	Mar. 26, 1941
Pittsburgh Coal Co.	28	2	May 19, 1941	51.80	MRR 17446	124.41	May 27, 1941
Koppers Coal Co.	55	3	Aug. 9, 1941	49.80	NYC 827702	119.61	Aug. 18, 1941
Pittsburgh Coal Co.	28	2	June 18, 1941	50.15	MRR 16006	120.45	June 27, 1941
Koppers Coal Co.	55	3	Sept. 17, 1941	52.15	MRR 15294	125.22	Sept. 27, 1941
Koppers Coal Co.	55	3	Nov. 3, 1941	52.85	K 62560	126.97	Nov. 13, 1941
Koppers Coal Co.	55	3	Dec. 6, 1941	49.00	B&O 330773	117.69	Dec. 16, 1941
Koppers Coal Co.	55	3	Jan. 12, 1942	53.10	NYC 828944	127.51	Jan. 16, 1942
Koppers Coal Co.	55	3	Feb. 14, 1942	48.65	PRR 708547	116.85	Feb. 23, 1942
Koppers Coal Co.	55	3	Mar. 19, 1942	53.05	NH 120987	130.26	Mar. 26, 1942
				617.45		1,485.80	

## (c) HAMILTON HOTEL, INC., HAGERSTOWN, MARYLAND

Ralphton Coal Mining Co.	407	1	Sept. 8, 1941	54.10	B&O 233068	\$117.85	Sept. 16, 1941
Ralphton Coal Mining Co.	407	1	Nov. 12, 1941	52.00	B&O 724672	113.34	Nov. 24, 1941
Ralphton Coal Mining Co.	407	1	Dec. 24, 1941	55.00	B&O 126145	121.15	Dec. 31, 1941
Ralphton Coal Mining Co.	407	1	Feb. 6, 1942	55.10	B&O 330756	120.05	Feb. 18, 1942
Ralphton Coal Mining Co.	407	1	Mar. 9, 1942	53.75	B&O 724945	117.12	Mar. 17, 1942
				270.55		589.51	

## (d) W. H. REISNER MFG. CO., HAGERSTOWN, MD.

Pittsburgh Coal Co.	28	2	July 2, 1941	50.55	MRR 17120	\$121.41	July 9, 1941
Pittsburgh Coal Co.	28	2	Feb. 24, 1942	51.85	MRR 17497	124.53	Mar. 11, 1942
				102.40		245.94	

as a result of which, said transactions, jointly and severally, constituted violations of Rule 1 (J) of section VII, Rules 3 and 6 of section XIII of the Marketing Rules and Regulations, section 4 Part II (i) 3 and 6 of the Act, Part II (i) 3 and 6 of the Code, and paragraphs (c) and (e) of the Agreement.

B. Whether or not the registration of said Steffey & Findlay, Inc., Registration No. 8671, should be revoked or suspended, or other appropriate order should be issued.

It is, therefore, ordered, That a hearing pursuant to § 304.14 of Rules and Regulations for the Registration of Dis-

tributors, to determine whether or not the aforementioned Steffey & Findlay, Inc., has committed violations in the respects heretofore described and whether or not the registration of said distributor should be revoked or suspended, or other appropriate order should be issued, be held on 9th day of January, 1943, at 10 o'clock a. m., at a hearing room of the Bituminous Coal Division at the Washington County Court, Hagerstown, Maryland.

It is further ordered, That Charles S. Mitchell or any other officer or officers of the Bituminous Coal Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and recommendations of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Steffey & Findlay, Inc., and to all persons and entities having an interest in such proceeding.

Notice is hereby given that answer setting forth the position of the aforementioned Steffey & Findlay, Inc., with reference to the matters hereinbefore described must be filed with the Bituminous Coal Division at its Washington office or with any one of the field offices of the Division within twenty (20) days after the date of service on said Steffey & Findlay, Inc., and that failing to file an answer herein within such period, unless the presiding officer shall otherwise order, shall be deemed to be an admission by said Steffey & Findlay, Inc., of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division, for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the said distributor of the Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: November 26, 1942.

[SEAL]

DAN H. WHEELER,  
Director.

[F. R. Doc. 42-12644; Filed, November 30, 1942; 11:16 a. m.]



[Docket No. 1781-FD]

MATTHEW PHILLIPS

ORDER CONDITIONALLY RESTORING CODE  
MEMBERSHIP

In the matter of Matthew Phillips—Applicant.

A written complaint dated June 25, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 17, 1941, by the Bituminous Coal Producers Board for District No. 6, a district board, complainant, with the Bituminous Coal Division (the "Division"); and

Pursuant to Notice of and Order for Hearing dated September 2, 1941, a hearing in said matter having been held before W. A. Cuff, a duly designated Examiner of the Division, at Wheeling, West Virginia, on December 4, 5 and 6, 1941; and

An Order of the Division having been issued herein on June 13, 1942, cancelling and revoking the Code membership of Matthew Phillips (the "Applicant"), in the Bituminous Coal Code (the "Code") effective fifteen (15) days from the date of said order, and providing for the payment to the United States of a tax in the amount of \$749.41 as a condition precedent to reinstatement of Applicant to membership in the Code; and

The Applicant now having filed with the Division on November 21, 1942, an application dated November 14, 1942, (the "Application") for conditional restoration of Code membership wherein Applicant requests that his Code membership be restored as of the effective date of revocation, upon the condition that said restored membership shall remain in effect so long as the said Matthew Phillips shall faithfully comply with the terms of an Agreement made by and between Applicant and F. Roy Yoke, Collector of Internal Revenue at Parkersburg, West Virginia, (the "Agreement"), in which it appears that said Matthew Phillips paid to said Collector of Internal Revenue, on October 22, 1942, \$389.41 on account of said tax in the amount of \$749.41, and has agreed to pay the balance of \$360.00 in installments of \$72.00 per month on the first of each and every month, beginning November 1, 1942 and ending March 1, 1943, and it appearing from the Application that the Applicant has paid to said Collector the installment due on November 1, 1942;

Now, therefore, It is ordered, That the membership of Matthew Phillips in the Code be and the same hereby is conditionally restored as of the effective date of revocation of said Code membership referred to in said order issued June 13, 1942, upon the following terms and conditions:

In the event of default in payment of any installment as provided in said Agreement between said Matthew Phillips and F. Roy Yoke, Collector of Internal Revenue, dated November 11, 1942, (a) such conditional restoration of Code membership shall become wholly ineffective, (b) the entire balance of said tax then owing shall become due and payable, and (c) the 19½% tax provided by section 3520 (b) (1) of the Internal Revenue

Code shall be imposed on all coal produced by said Matthew Phillips and sold or otherwise disposed of by him on and after the original effective date of revocation of Code membership referred to above.

It is further ordered, That upon the payment of said tax in full in accordance with the terms of said Agreement, Matthew Phillips shall submit to the Division the receipt therefor issued by said Collector or a statement by said Collector that the tax has been fully paid and thereupon, an order shall be issued restoring said Matthew Phillips to full membership in the Code.

Dated: November 30, 1942.

[SEAL]

DAN H. WHEELER,  
Director.

[F. R. Doc. 42-12707; Filed, December 1, 1942;  
11:51 a. m.]

[Docket No. B-98]

HARRY G. LUCAS

## ORDER RESTORING CODE MEMBERSHIP

In the matter of Harry G. Lucas, also known as H. G. Lucas—Code Member.

A written complaint having been filed herein on October 16, 1941, by the Bituminous Coal Producers Board for District No. 1, as complainant, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), alleging wilful violation by Harry G. Lucas, Curwensville, Pennsylvania, code member in District No. 1, of the Act, of the Bituminous Coal Code (the "Code"), and rules and regulations thereunder; and

An order having been issued herein on February 20, 1942 revoking and cancelling the code membership of said Harry G. Lucas, also known as H. G. Lucas, effective fifteen (15) days from the date of said order; and

Said order of revocation and cancellation having been duly served on February 26, 1942 on said Harry G. Lucas; and

An order having been issued on July 6, 1942 conditionally restoring the membership of Harry G. Lucas in the Bituminous Coal Code as of March 7, 1942 on condition that said Harry G. Lucas pay the tax of \$794.51 prescribed by said order dated February 20, 1942, as a condition precedent to restoration of code membership by monthly installments pursuant to an agreement dated May 26, 1942, and entered into between the said Harry G. Lucas and Walter L. Miller, Collector of Internal Revenue, Treasury Department of the United States, Pittsburgh, Pennsylvania; and

Said order dated July 6, 1942 having provided that upon payment of the said tax in the sum of \$794.51 in full in accordance with the terms of the aforesaid agreement and upon the submission of a statement by said Collector that said tax has been fully paid, an Order will be issued restoring said Harry G. Lucas to full membership in the Code; and

It appearing by a statement from D. S. Bliss, Deputy Commissioner, Treasury Department, Washington, D. C., dated November 20, 1942, in possession of the Division that Harry G. Lucas has paid

the total sum of \$794.51 as a condition precedent to his restoration to code membership.

Now, therefore, It is ordered, That the said Harry G. Lucas, also known as H. G. Lucas, be, and he hereby is, restored to code membership;

It is further ordered, That said restoration of code membership of Harry G. Lucas, also known as H. G. Lucas, be, and the same hereby is, effective as of the effective date of said revocation and cancellation of his code membership.

Dated: November 30, 1942.

[SEAL]

DAN H. WHEELER,  
Director.

[F. R. Doc. 42-12708; Filed, December 1, 1942;  
11:51 a. m.]

## Bureau of Mines.

WILLIS DISBROW

ORDER REVOKING LICENSE AND DIRECTING ITS  
SURRENDER

In the matter of Willis Disbrow, Licensee. Proceeding for Revocation of License.

To: Willis Disbrow, Hartland, Illinois. Based upon the records in this matter, I, R. R. Sayers, Director of the Bureau of Mines, make the following Findings of Fact:

1. On October 29, 1942, a Specification of Charges against you, setting forth a violation of the Federal Explosives Act (55 Stat. 863) of which you were accused, was mailed to you at the above, your last known, address, giving you notice to mail an answer within 15 days demanding a hearing if you wished to be heard on the charge against you.

2. More than 20 days have elapsed since the giving of said notice. The length of time required for mail to be delivered to the office of the Bureau of Mines, Washington, D. C., from Hartland, Illinois, does not exceed 4 days. You have not demanded a hearing.

3. The charge against you is true.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act (55 Stat. 863) and § 301.22 of the regulations pursuant thereto (7 F.R. 5901); It is hereby ordered:

That Vendor's License No. 28266 heretofore issued to you under the Federal Explosives Act (55 Stat. 863) be and it is hereby revoked; And it is further ordered:

That you shall immediately surrender said license and all certified or photostatic copies thereof, if any, by delivering or mailing the same to the Director of the Bureau of Mines, Interior Department, Washington, D. C.

This Order is effective on and after its date, except that you will be allowed not to exceed 10 days thereafter within which to sell or otherwise dispose of explosives or ingredients thereof now on hand to persons licensed under the Federal Explosives Act and in accordance with the provisions of the act and regulations thereunder. This exception does not authorize you to purchase or otherwise acquire explosives or ingredients thereof.



Failure to comply with any of the provisions of this Order will constitute a violation of the Federal Explosives Act, punishable by a fine of not more than \$5,000 or by imprisonment for not more than one year or by both such fine and such imprisonment.

Dated: November 23, 1942.

R. R. SAYERS,  
Director, Bureau of Mines.

[F. R. Doc. 42-12694; Filed, December 1, 1942;  
10:26 a. m.]

#### LUND BROTHERS

#### ORDER REVOKING LICENSE AND DIRECTING ITS SURRENDER

In the matter of Lund Brothers, Licensee. Proceeding for Revocation of License.

To: Lund Brothers, Warren, Oregon. Based upon the records in this matter, I, R. R. Sayers, Director of the Bureau of Mines, make the following Findings of Fact:

1. On October 9, 1942, a Specification of Charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863) and regulations pursuant thereto of which you were accused, was mailed to you at the above, your last known address, giving you notice to mail an answer within 15 days demanding a hearing if you wished to be heard on the charges against you.

2. More than 21 days have elapsed since the giving of said notice. The length of time required for mail to be delivered to the Office of the Bureau of Mines, Washington, D. C., from Warren, Oregon, does not exceed 6 days. You have not demanded a hearing.

3. The charges against you are true.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act (55 Stat. 863) and § 301.22 of the regulations pursuant thereto (7 F.R. 5901): *It is hereby ordered:*

That Vendor's License No. 164,002 heretofore issued to you under the Federal Explosives Act (55 Stat. 863) be and it is hereby revoked: *And it is further ordered:*

That you shall immediately surrender said license and all certified or photostatic copies thereof by delivering or mailing the same to the Director of the Bureau of Mines, Interior Department, Washington, D. C.

Failure to comply with any of the provisions of this Order will constitute a violation of the Federal Explosives Act, punishable by a fine of not more than \$5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

Dated: November 13, 1942.

R. R. SAYERS,  
Director, Bureau of Mines.

[F. R. Doc. 42-12695; Filed, December 1, 1942;  
10:26 a. m.]

#### SANDY MARKET, INC.

#### ORDER REVOKING LICENSE AND DIRECTING ITS SURRENDER

In the matter of Sandy Market, Inc., Licensee. Proceeding for Revocation of License.

To: Sandy Market, Inc., Sandy, Oregon. Based upon the records in this matter, I, R. R. Sayers, Director of the Bureau of Mines, make the following Findings of Fact:

1. On October 9, 1942, a Specification of Charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863) and regulations pursuant thereto of which you were accused, was mailed to you at the above, your last known address, giving you notice to mail an answer within 15 days demanding a hearing if you wished to be heard on the charges against you.

2. More than 21 days have elapsed since the giving of said notice. The length of time required for mail to be delivered to the office of the Bureau of Mines, Washington, D. C., from Sandy, Oregon, does not exceed 6 days. You have not demanded a hearing.

3. The charges against you are true.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act (55 Stat. 863) and § 301.22 of the regulations pursuant thereto (7 F.R. 5901): *It is hereby ordered:*

That Vendor's License No. 408,117 heretofore issued to you under the Federal Explosives Act (55 Stat. 863) be and it is hereby revoked; *and it is further ordered:*

That you shall immediately surrender said license and all certified or photostatic copies thereof, if any, by delivering or mailing the same to the Director of the Bureau of Mines, Interior Department, Washington, D. C.

This Order is effective on and after its date, except that you will be allowed not to exceed 10 days thereafter within which to sell or otherwise dispose of explosives or ingredients thereof now on hand to persons licensed under the Federal Explosives Act and in accordance with the provisions of the act and regulations thereunder. This exception does not authorize you to use or test explosives or ingredients thereof on hand, nor does it authorize you to manufacture or purchase or otherwise acquire explosives or ingredients thereof.

Failure to comply with any of the provisions of this Order will constitute a violation of the Federal Explosives Act, punishable by a fine of not more than \$5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

Dated: November 13, 1942.

R. R. SAYERS,  
Director, Bureau of Mines.

[F. R. Doc. 42-12696; Filed, December 1, 1942;  
10:26 a. m.]

#### DEPARTMENT OF AGRICULTURE.

#### Farm Security Administration.

#### MONROE COUNTY, ALABAMA

#### DESIGNATION OF LOCALITIES FOR LOANS

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by Supplement 2 of Secretary's Memorandum No. 867 issued as of July 1, 1942, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

#### REGION V—ALABAMA

#### COUNTY—MONROE

Locality I—Consisting of Mount Pleasant Precinct, \$2,538.  
Locality II—Consisting of Perdue Hill Precinct, \$2,494.  
Locality III—Consisting of Monroeville Precinct, \$1,964.  
Locality IV—Consisting of Burnt Corn Precinct, \$1,375.  
Locality V—Consisting of Tunnel Springs Precinct, \$1,240.  
Locality VI—Consisting of Ridge Precinct, \$2,396.  
Locality VII—Consisting of Franklin Precinct, \$2,660.  
Locality VIII—Consisting of Bells Landing Precinct, \$2,219.  
Locality IX—Consisting of Buena Vista Precinct, \$2,423.  
Locality X—Consisting of Pineville Precinct, \$2,205.  
Locality XI—Consisting of Simpkinsville Precinct, \$1,675.  
Locality XII—Consisting of Midway Precinct, \$1,420.  
Locality XIII—Consisting of Jeddo Precinct, \$2,951.  
Locality XIV—Consisting of Jones Mill Precinct, \$3,041.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved November 28, 1942.

[SEAL] J. O. WALKER,  
Acting Administrator.

[F. R. Doc. 42-12702; Filed, December 1, 1942;  
11:21 a. m.]

#### Rural Electrification Administration.

[Administrative Order 734]

#### CENTRAL STATION ELECTRIC SERVICE

#### ALLOTMENTS TO STATE

NOVEMBER 14, 1942.

Pursuant to section 3 (c) of the Rural Electrification Act of 1936 and upon information and data in the files of the Rural Electrification Administration, I hereby determine that the number of farms not receiving central station electric service for each state and the num-



ber of such farms for the United States at the beginning of the current fiscal year are set forth in the following schedule, and I hereby allot from the sum of \$5,000,000, being fifty per centum of the total sum made available for the current fiscal year, the respective sums for loans in the several States as hereinafter set forth.

	Farms without central station electric service July 1, 1942	Allotment for loans during the fiscal year ending June 30, 1943
United States.....	3,759,646	\$5,000,000
Alabama.....	180,724	240,347
Arizona.....	10,573	14,061
Arkansas.....	184,863	245,832
California.....	21,589	28,712
Colorado.....	29,202	38,836
Connecticut.....	3,085	4,103
Delaware.....	4,281	5,693
Florida.....	45,449	60,443
Georgia.....	151,298	201,213
Idaho.....	11,737	15,609
Illinois.....	106,927	142,204
Indiana.....	67,822	90,197
Iowa.....	108,041	143,685
Kansas.....	118,255	157,269
Kentucky.....	202,360	269,121
Louisiana.....	127,452	169,500
Maine.....	16,452	21,830
Maryland.....	18,545	24,663
Massachusetts.....	5,906	7,855
Michigan.....	41,391	55,046
Minnesota.....	124,510	165,587
Mississippi.....	250,763	333,493
Missouri.....	199,031	264,694
Montana.....	31,710	42,172
Nebraska.....	91,434	121,599
Nevada.....	2,085	2,773
New Hampshire.....	3,348	4,453
New Jersey.....	4,035	5,366
New Mexico.....	27,313	36,324
New York.....	40,224	53,494
North Carolina.....	188,178	250,260
North Dakota.....	69,466	92,424
Ohio.....	69,453	92,366
Oklahoma.....	149,953	199,424
Oregon.....	15,820	21,039
Pennsylvania.....	63,148	83,981
Rhode Island.....	245	326
South Carolina.....	88,212	117,314
South Dakota.....	65,651	87,310
Tennessee.....	190,217	252,972
Texas.....	307,147	408,479
Utah.....	6,448	8,575
Vermont.....	9,531	12,675
Virginia.....	124,752	165,909
Washington.....	19,543	25,991
West Virginia.....	67,680	90,009
Wisconsin.....	83,634	111,226
Wyoming.....	10,133	13,476

[SEAL] HARRY SLATTERY,  
Administrator.

[F. R. Doc. 42-12705; Filed, December 1, 1942;  
11:21 a. m.]

#### FEDERAL POWER COMMISSION.

[Docket G-427]

#### CONSOLIDATED GAS UTILITIES CORPORATION

##### ORDER AMENDING ORDER FIXING DATE OF HEARING

NOVEMBER 28, 1942.

It appearing to the Commission that:

(a) By its order dated November 18, 1942, the Commission ordered that a public hearing in the above-entitled matter be held commencing on December 10, 1942, at 10 a. m., in the Federal Building, Kansas City, Missouri;

(b) It has been found desirable to specify more particularly the place for the said hearing in the City of Kansas City, Missouri;

The Commission orders, That:

(a) The public hearing in the above-entitled proceeding now set to begin on December 10, 1942, at 10 a. m., in the Federal Building, Kansas City, Missouri, be held commencing on December 10, 1942, at 10 a. m., in Room 664, United States Court House, Kansas City, Missouri;

(b) The Commission's order of November 18, 1942, be and the same is hereby amended to the extent, and only to the extent, indicated by paragraph (a) above.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 42-12693; Filed, December 1, 1942;  
10:26 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[Order 6 Under MPR 225]

#### KETTERLINUS LITHOGRAPHIC MANUFACTURING COMPANY

##### APPROVAL OF MAXIMUM PRICES

Order No. 6 under Maximum Price Regulation No. 225—Printing and Printed Paper Commodities.

For the reasons set forth in an Opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with § 1347.469 (b) of Maximum Price Regulation No. 225, It is hereby ordered:

(a) Ketterlinus Lithographic Manufacturing Company of Philadelphia, Pennsylvania, may sell and deliver to Planters Nut and Chocolate Company, and Planters Nut and Chocolate Company may buy and receive from Ketterlinus Lithographic Manufacturing Company peanut candy bar wrappers at prices not in excess of those established as follows:

Per M  
Wrappers for 5¢ peanut candy bars..... \$1.07  
Wrappers for 1¢ peanut candy bars..... .28

This permission shall be retroactive to September 29, 1942.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1347.472 of Maximum Price Regulation No. 225 shall apply to the terms used herein.

(e) This Order No. 6 shall become effective December 1, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of November 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-12679; Filed, November 30, 1942;  
4:55 p. m.]

[Suspension Order 171]

C. W. DANIEL

#### ORDER RESTRICTING TRANSACTIONS

C. W. Daniel, 585 Memorial Drive, Atlanta, Georgia, hereinafter called respondent, was duly served with a notice of charges of violations of Ration Order No. 5A, gasoline rationing regulations. Pursuant to said notice, a hearing upon such charges was held in Atlanta, Georgia, on October 14, 1942. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to such charges was presented before an authorized presiding officer. Such evidence having been considered by the Deputy Administrator in Charge of Rationing, It is hereby determined that:

(a) Respondent is a dealer in gasoline and operates a filling station at 585 Memorial Drive, Atlanta, Georgia.

(b) Respondent has violated § 1394.1503 of Ration Order No. 5A, gasoline rationing regulations, in that on August 29, 1942, respondent transferred four gallons of gasoline to a consumer, R. C. Young, and into the fuel tank of a passenger automobile in exchange for a coupon detached, prior to the presentation of the coupon book to respondent, from a coupon book that was not issued for and did not bear the identification of the vehicle into which the transfer was made.

(c) Respondent has violated § 1394.1503 of Ration Order No. 5A, gasoline rationing regulations, in that on August 29, 1942, respondent transferred four gallons of gasoline to a consumer, John R. Mattem, and into the fuel tank of a passenger automobile upon which no sticker was displayed.

(d) The foregoing transfers by respondent were not within the classes of transfers of gasoline permitted by the provisions of Ration Order No. 5A to be made without the exchange of gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in Georgia, violations of Ration Order No. 5A, gasoline rationing regulations, have necessarily resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses, in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator that further violations by respondent are likely unless appropriate administrative action is taken, It is therefore ordered:

(e) During the period in which this Suspension Order No. 171 shall be in effect,

(1) Respondent shall not sell, transfer or deliver any gasoline to any person.

(2) Respondent shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale.

(3) No person, firm or corporation shall deliver, or in any manner directly or indirectly transfer any gasoline to respondent for resale.

(f) Any terms used in this Suspension Order No. 171 that are defined in Ration Order No. 5A, gasoline rationing regula-



tions, shall have the meaning therein given them.

(g) This Suspension Order No. 171 shall become effective 12:01 A. M. December 6, 1942, and unless sooner terminated, shall expire 12:01 A. M. December 23, 1942.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216))

Issued this 30th day of November 1942.

PAUL M. O'LEARY,  
Deputy Administrator  
in Charge of Rationing.

[F. R. Doc. 42-12680; Filed, November 30, 1942;  
4:56 p. m.]

[Suspension Order 172]

WATKINS BROTHERS  
ORDER RESTRICTING TRANSACTIONS

Watkins Brothers, a partnership composed of Holland Turpin Watkins and John Carter Watkins, Emporia, Virginia, and hereinafter called respondent, was duly served with a notice of specific charges of violations of Ration Order No. 5, emergency gasoline rationing regulations and Ration Order No. 5A, gasoline rationing regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing was held on October 21, 1942, in Emporia, Virginia. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered by the Deputy Adminis-

trator in Charge of Rationing, it is hereby determined that:

(a) Respondent is a dealer in and a licensed distributor of gasoline and operates a filling station and a bulk plant in Emporia, Virginia.

(b) Respondent has violated Ration Order No. 5, emergency gasoline rationing regulations, in that on July 21, 1942, in Emporia, Virginia, respondent transferred a total of 205 gallons of gasoline in bulk to four different consumers without in any instance receiving any certificate on either OPA Form R-510 or OPA Form R-511.

(c) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, in that on July 9, 1942, in its application for service rations for three tank trucks owned and used by it in its business as a dealer and distributor in gasoline, respondent greatly overstated on OPA Form R-536 the number of miles each of its trucks had been driven in its business during the thirty days preceding the date of application. By reason of these overstatements, respondent received service rations for the trucks in amounts greater than those to which it was properly entitled.

(d) Respondent has violated Ration Order No. 5A, gasoline rationing regulations, in that on September 27, 1942, respondent transferred five gallons of gasoline to a consumer and into the fuel tank of a motor vehicle in exchange for a coupon (Class S) which had been previously detached from a coupon book that was not issued for and did not bear the identification of the vehicle into which the transfer was made. Such transfer was not one of the classes of transfers permitted by Ration Order No. 5A to be made without the exchange of gasoline ration coupons.

Because of the great scarcity and critical importance of gasoline in Virginia, the violations of Ration Order No. 5, emergency gasoline rationing regulations and Ration Order No. 5A, gasoline rationing regulations, by respondent have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken, *it is therefore ordered:*

(e) During the period in which this Suspension Order No. 172 shall be in effect, respondent shall not directly or indirectly sell, transfer, or deliver any gasoline to any consumer.

(f) Any terms used in this Suspension Order No. 172 that are defined in Ration Order No. 5A, gasoline rationing regulations, shall have the meaning therein given them.

(g) This Suspension Order No. 172 shall become effective 12:01 A. M. December 5, 1942, and unless sooner terminated, shall expire 12:01 A. M. January 4, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562) and Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216))

Issued this 30th day of November 1942.

PAUL M. O'LEARY,  
Deputy Administrator  
in Charge of Rationing.

[F. R. Doc. 42-12681; Filed, November 30, 1942;  
4:56 p. m.]